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ACTS
AND
JOINT RESOLUTIONS
OF THE
General Assembly
OF THE
STATE OF SOUTH CAROLINA,
PASSED AT THE
REGULAR SESSION OF 1891.

PRINTED BY ORDER OF THE GENERAL ASSEMBLY, AND DESIGNED TO FORM
A PART OF THE TWENTIETH VOLUME OF THE STATUTES AT
LARGE, COMMENCING WITH THE ACTS OF THE
REGULAR SESSION OF 1888.

COLUMBIA, S. C.
JAMES H. WOODROW, STATE PRINTER.

1892.

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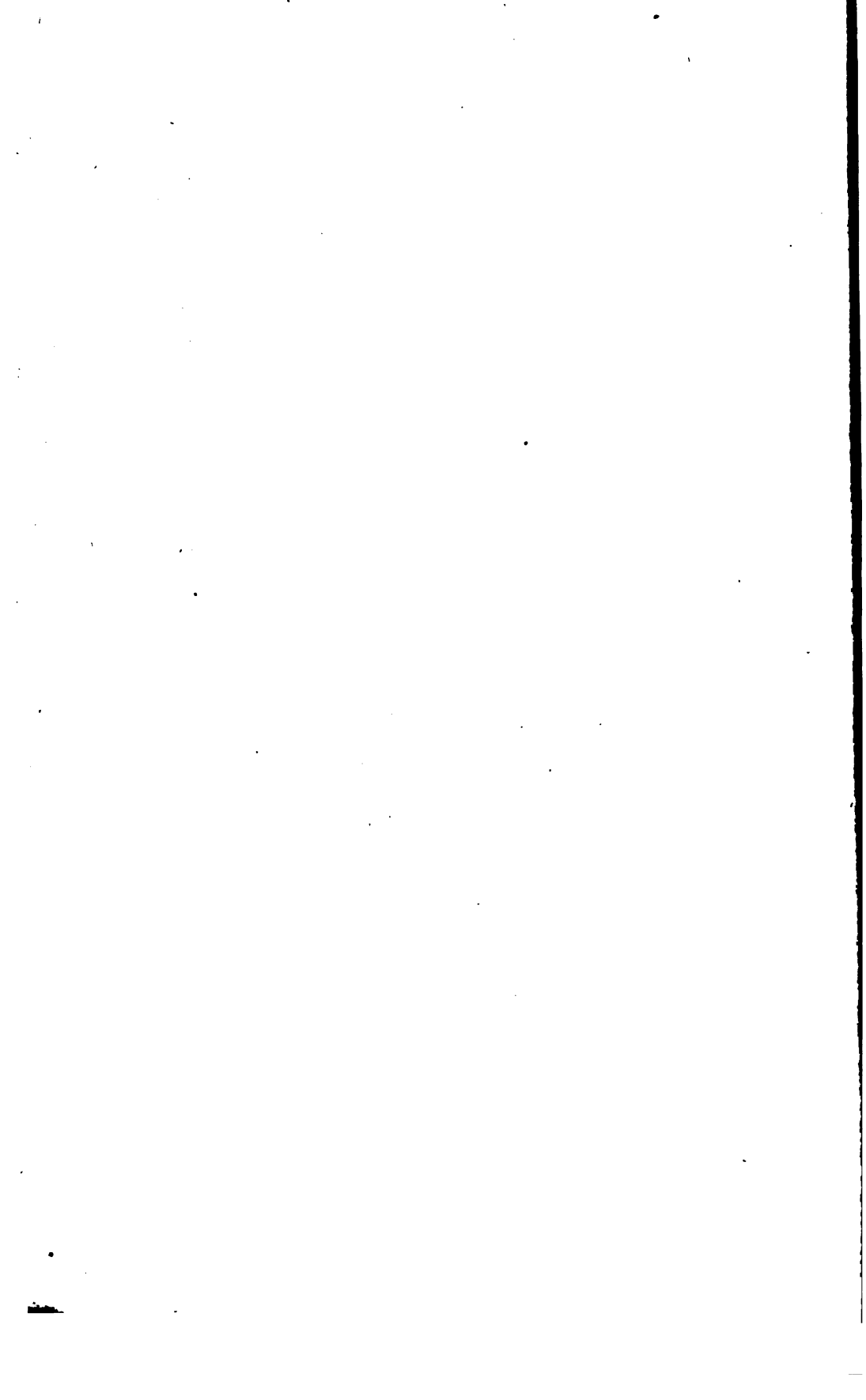
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ACTS AND JOINT RESOLUTIONS

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF SOUTH CAROLINA,

Passed at the Regular Session which was begun and held at the City of Columbia on the Twenty-Fourth Day of November, A. D. 1891, and was adjourned without day on the Twenty-Fourth Day of December, A. D. 1891.

BENJAMIN R. TILLMAN, Governor. EUGENE B. GARY, Lieutenant Governor and *ex officio* President of the Senate. IRA B. JONES, Speaker of the House of Representatives. SAMPSON POPE, Clerk of the Senate. J. WALTER GRAY, Clerk of the House of Representatives.

PART I.

General Laws and Joint Resolutions.

A. D. 1891.

AN ACT TO REGULATE THE DISCHARGE OF THE MATRICULATION
OBLIGATION OF BENEFICIARY CADETS OF THE MILITARY
ACADEMY. No. 670.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act it shall be the duty of the Board of Visitors of the Military Academy to report to the State Superintendent of Education, at least one month before

Board of Visitors to report.

A. D. 1891.

the time of expected graduation, the names and addresses of beneficiary cadets expected to be graduated.

State Supt.
Education to
furnish lists.

SEC. 2. That the State Superintendent of Education shall furnish to the County School Commissioners of the State and the Trustees of the Free Public Schools throughout the State a list of all such beneficiary graduates.

School Com-
missioner to no-
tify trustees.

SEC. 3. That it shall be the duty of the County School Commissioner, upon receipt of such list, or lists, to give notice to the trustees of the Free Public Schools of his County of the opportunity to provide them with such teacher, or teachers, and he shall forward to the State Superintendent of Education a copy of all such notices sent out by him. He shall also furnish to the State Superintendent of Education a complete list of the schools in his County that are without teachers.

To report to
State Supt.

Assignment of
beneficiary ca-
dets.

SEC. 4. The State Superintendent of Education shall have authority to assign such beneficiaries to such school, upon the application of the school trustees thereof, as in his judgment the interest of the State may require, preference being given to the schools of the County from which such beneficiaries may have been respectively appointed.

Certificate of
discharge to the
cadet.

SEC. 5. That upon satisfactory proof made to the State Superintendent of Education by any beneficiary graduate that he has fulfilled his matriculation obligation by teaching two years in the Free Public Schools in this State the Superintendent of Education shall grant to such beneficiary graduate a certificate, under the seal of his office, that he has honorably discharged his obligation to the State.

Copy of ma-
trication obli-
gation to be filed.

SEC. 6. That each beneficiary cadet, when he receives his appointment, shall file, in the office of the State Superintendent of Education, a copy of his matriculation obligation.

Repealing
clause.

SEC. 7. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 11th, A. D. 1891.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO MAKE AFFIDAVITS AND PROOFS OF CLAIMS MADE BEFORE NOTARIES PUBLIC IN OTHER STATES AS EFFECTUAL AS IF MADE BEFORE COMMISSIONERS OF DEEDS."

A. D. 1891.
No. 671.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to make affidavits and proofs of claims made before Notaries Public in other States as effectual as if made before Commissioners of Deeds," approved the 20th day of December, A. D. 1888, be, and the same is hereby, amended so as to read as follows:

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all verifications of pleadings, affidavits, and proofs of claims made before Notaries Public in other States shall have the same force and effect as they would have if sworn to before a Commissioner of Deeds for this State resident in another State: *Provided*, such Notary Public shall use his official seal.

Approved December 11th, A. D. 1891.

A JOINT RESOLUTION EXTENDING THE TIME FOR THE COLLECTION OF STATE, COUNTY, RAILROAD AND OTHER TAXES DUE FOR THE FISCAL YEAR COMMENCING NOVEMBER 1ST, 1890, UNTIL THE 20TH DAY OF FEBRUARY, 1892.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That time limited for the payment of taxes to the 15th day of December, 1891, as provided in an Act entitled An Act to raise supplies and make appropriations for the fiscal year commencing November 1st, 1890, be, and the same is hereby, extended to the 20th day of February, 1892, without penalty, and that the Comptroller General of this State is hereby authorized and required to notify the County Treasurers and County Auditors of the several Counties of this State of such extension.

A. D. 1891.
 When to
 take effect.

SEC. 2. That this Joint Resolution shall take effect immediately on its approval.

Certified by the Secretary of State to have become a law on December 16th, A. D. 1891, by reason of the failure of the Governor to return the Act to the General Assembly within three days after the same was presented to him.

No. 673. AN ACT RELATING TO THE TIME FOR COMMENCING ACTIONS ON POLICIES OF INSURANCE IN THIS STATE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That actions may be brought in any of the Courts of this State properly having jurisdiction thereof on any policies of insurance, either fire or life, whereby any person or property, resident or situate in this State, may be or may have been insured, or for or on account of any loss arising thereunder, within six years from the date of such loss, or from the accrual of the cause of action under said policy, any clause or condition in the said policies or limitations therein contained to the contrary notwithstanding.

Approved December 16th, A. D. 1891.

No. 674. AN ACT AUTHORIZING THE USE OF MEDICAL AND SCIENTIFIC BOOKS AS EVIDENCE IN CERTAIN CASES.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That hereafter in all actions or proceedings, civil or criminal, in which the question of sanity or insanity, or the administration of poison or other article destructive to life, is involved, and in which expert testimony may now be introduced, the medical

or scientific works, or such parts thereof as may be relevant to the issues involved, shall be competent and admissible to be read before the court, or jury, in addition to such expert testimony.

A. D. 1891.

Approved December 16th, A. D. 1891.

AN ACT TO AMEND THE LAW IN RELATION TO THE LOCATION No. 675.
AND NAMES OF VOTING PRECINCTS IN THIS STATE.

SECTION 1. *Be it enacted*, by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the names and locations of the voting precincts in this State shall be and remain the same as provided by law before the passage of this Act, except in the Counties hereinafter mentioned, in which the names and locations of voting precincts shall be as hereinafter established.

Anderson.—In the County of Anderson there shall be twenty-one voting precincts, as follows: Anderson Court House, Pendleton, Sandy Springs, Centreville, Five Forks, Hopewell School House, Greenwood, Williamston, Belton, Honea Path, Clinkscates, Millford's, Cedar Wreath School House, Moffattsville, Williford's Store, Broyle's Mill, G. W. Maret's Store, Starr, Piedmont Factory, Holland's Store, and Pelzer.

Anderson.

Chester.—In Chester County there shall be voting precincts as follows: Chester Court House, Lowrys ville, Fishing Creek Church, Rossville, John Simpson's, Carmel Hill, J. E. Wiley's Store, Landsford, Cornwell, Richburg, Wylie's Mill Academy, Fishing Creek Factory, and Baton Rouge.

Chester.

Edgefield.—In the County of Edgefield there shall be twenty-one voting precincts, as follows: Edgefield Court House, Meeting Street, Trapp's Store, Pleasant Lane, Haltiwanger's Store, Johnston, Holstein's Cross Roads, Perry's Cross Roads, Coleman's Cross Roads, Cheatham's Store, Meriwether Hall, Landrum's Store, Liberty Hill, Red Hill, Mount Willing, Richardsonville, Rehoboth, Modoc, Kinard's Store, Plumb Branch, and Trenton.

Edgefield.

Florence.—In the County of Florence there shall be twelve

Florence.

A. D. 1891. voting precincts, as follows: Florence, Ebenezer, Timmons ville, Cartersville, James' Cross Roads, Elim, Mars Bluff, Evergreen, Hymansville, Hinson, Mott's, and Salem, at or near Salem Public School.

Georgetown. *Georgetown.*—In the County of Georgetown there shall be twelve voting precincts, as follows: Georgetown, Sampit. Carver's Bay, Choppee, Black River, Potato Ferry, at or near Ivey's Store, Pee Dee, Grier's, Upper Waccamaw, Lower Waccamaw, Santee, and Cedar Creek, at or near Gourdin's Chapel.

Greenville. *Greenville.*—In the County of Greenville there shall be twenty-nine voting precincts, as follows: Two in the city of Greenville, to be located by the Commissioners of Election, W. K. Grant's, Reedy Fork, A. W. Ware's, G. W. Sullivan's Store, T. Henry Stokes', Old Fair View Academy, Fountain Inn, Jesse Burdett's, Sr., Butler's Cross Roads in Austin Township, Batesville, James Green's, Taylor's Station, Double Springs Church, T. J. Mitchell's, Bates' Old Field, S. W. Baiton's (in Glassy Mountain Township), John H. Goodwin's, Jennings' Mill, the Old School House near Lima, Reedy River Church, Piedmont Factory, Gowensville, Marietta (in Bates Township), Greer Station, Simpsonville, Tigerville, and West Dunklin School House.

Horry. *Horry.*—In the County of Horry there shall be seventeen voting precincts, as follows: Conway, Dusenberry and Sarvis's Store, Dog Bluff, Muster Shed, Gallivant's Ferry, Floyd's School House, Blanton's Cross Roads, Bayboro, Round Swamp Store, Little River Village, Dogwood Neck, at Hardee's Store near Hardee's Mill, Cedar Grove Church, Martin's Hill, Hammondsville, Loris, Grahamville, at Grahamville in Dogwood Neck Township, Sandford, in Bayboro Township, and Ebenezer, at a School House near Ebenezer Church, in Simpson's Creek Township.

Laurens. *Laurens.*—In Laurens County there shall be twelve voting precincts, as follows: Laurens Court House, Clinton, Reynosa, Dr. W. A. Shand's, Young's Store, Dial Church, Tumbling Shoals, Daniel's Store, Mount Pleasant, Cross Hill, Fuller's Creek Mill and Shiloh (at or near Shiloh Church, Dial's Township).

Newberry. *Newberry.*—In the County of Newberry there shall be sixteen voting precincts, as follows: Newberry Court House, Gibson's Store, Glymph's Store, Maybinton, Cromer's Store, Jalapa, Williams' Store, Longshore's Store, Prosperity, Jolly Street, Dead Fall, Pomaria, Hendrix's Mill, Sligh, Whitmire's, and Walton.

Oconee.—In the County of Oconee there shall be twenty voting precincts, as follows: Fairplay, South Union, Earle's Mill, Haley's Store, Friendship, Seneca City, Richland, Westminster, Cleveland, Tugaloo Academy, Holly Springs, Damascus, Mrs. Barker's, Rowland's, Little River, Salem, High Falls, Jocassee, West Union, and Walhalla.

A. D. 1891.

Oconee.

Sumter.—In the County of Sumter there shall be sixteen voting precincts, as follows: Sumter Court House, Statesburg, Rafting Creek, Providence, Bishopville, Mannville, Bossard, Mayesville, Lynchburg, Shiloh, Concord, Privateer, Manchester, Smithville, Wedgefield, and Corbett's Store.

Sumter.

Marion.—In the County of Marion shall be voting precincts as follows: Ariel, Berry's Cross Roads, Mount Nebo, Campbell's Bridge, Friendship, High Hill, Little Rock, Marion, Mullins, Old Ark, Carmichael's, Temperance Hill, Nichol's, Dillon, Centerville, and Latta.

Marion.

SEC. 2. That the Supervisor of Registration is hereby authorized and directed to exchange the registration of such electors as may apply to him for that purpose from other precincts to the precincts established by this Act, whenever it shall appear to him that the elector so applying resides within a reasonable distance of the same.

Exchange of
registration.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act be, and are hereby, repealed.

Repealing
clause.

Approved December 22nd, A. D. 1891.

AN ACT TO PREVENT THE CARRYING OF TORCHES, CHUNKS, OR COALS OF FIRE, IN OR UNDER ANY MILL OR WOODEN BUILDING ON LANDS OF ANOTHER, WITHOUT PERMISSION. No. 676.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That hereafter it shall be unlawful for any person to carry a lighted torch, chunk, or coals of fire, in or under any mill or wooden building, or over and across any of the enclosed or unenclosed lands of another person at any time without the special permit of the owner of such lands, mill or wooden building, whether any damage result therefrom or not.

Carrying fire.

Without permit.

A. D. 1891.
Punishment.

SEC. 2. That any person, upon conviction of a violation of the provisions of this Act, shall be deemed guilty of a misdemeanor, and shall be subject to imprisonment in the County jail for a term not to exceed thirty days, or to a fine not to exceed one hundred dollars.

Approved December 16th, A. D. 1891.

No. 677. AN ACT TO ENLARGE THE NUMBER OF THE BOARD OF VISITORS OF THE SOUTH CAROLINA MILITARY ACADEMY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Board of Visitors of the South Carolina Military Academy be, and the same hereby is, enlarged and increased by the addition to said Board of the following *ex officio* members, to wit: The Superintendent of Education, the Chairman of the Military Committee of the Senate, and the Chairman of the Military Committee of the House of Representatives.

Repealing clause. SEC. 2. All Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 16th, A. D. 1891.

No. 678. AN ACT TO PREVENT THE USE OF A FREE PASS, EXPRESS OR TELEGRAPH FRANK ON ANY RAILROAD BY ANY UNITED STATES SENATOR OR MEMBER OF CONGRESS FROM THIS STATE OR BY ANY MEMBER OF THE GENERAL ASSEMBLY OF THIS STATE, OR BY ANY STATE OR COUNTY OFFICIAL OR BY ANY JUDGE OF A COURT OF RECORD IN THIS STATE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

after the passage of this Act it shall be unlawful for any person while a member of the Senate or of the House of Representatives, State or National, or any State or County official, or any Judge of a Court of Record in this State to use any free pass, express or telegraph frank or complimentary ticket, or to ride without paying the usual fare on any railroad in this State.

A. D. 1891.

Free passes and franks prohibited.

SEC. 2. That any person upon conviction of a violation of the provision of Section 1 of this Act shall be deemed guilty of a misdemeanor and shall be liable to a fine not to exceed five hundred dollars or imprisonment not to exceed six months.

Punishment for using.

SEC. 3. That it shall be unlawful for any transportation or transmitting company, or any person representing same, to issue, or offer to issue, a free pass or any special or reduced rates not common to the public, to any member of the Legislature of this State, or member of Congress from this State, or any State or County official or any Judge of a Court of Record in this State.

Their issue prohibited.

SEC. 4. Any company or person upon conviction of a violation of the provisions of Section 3 of this Act, shall be deemed guilty of a misdemeanor, and shall be fined not less than five hundred dollars, or shall be imprisoned not exceeding six months, in each case.

Punishment for issuing.

SEC. 5. That all Acts or parts of Acts inconsistent with this Act be and the same are hereby repealed.

Repealing clause.

Approved December 22nd, A. D. 1891.

AN ACT TO PROVIDE FOR THE INVESTMENT OF THE DOWNER No. 679.
SCHOOL FUND, NOW IN THE HANDS OF THE STATE TREASURER.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor shall, by the 15th day of January, 1892, appoint a citizen of the County of Aiken a special Commissioner, to take charge of the Downer School Fund, now in the hands of the State Treasurer; and it shall be the duty of the State Treasurer to turn over to said Commissioner the whole of said fund as soon as he shall have been appointed and qualified.

Governor to appoint a Commissioner.

State Treasurer to turn over the fund.

- A. D. 1891.** **SEC. 2.** That said Commissioner is hereby authorized to invest as much as six thousand dollars of said fund in bonds which the city of Aiken have been or may be authorized by Act of the General Assembly to issue in aid of the Aiken Institute, at the rate of seven per cent. interest per annum, payable on the first day of January in each year. The balance of said fund to be invested in bonds of this State, or other bonds of the city of Aiken.
- Investment in bonds of Aiken Institute, &c.**
- Other bonds.**
- Application of annual interest.** **SEC. 3.** That said Commissioner shall annually collect the interest on said bonds, and shall apply the same to the education of such children as come within the pension of the will of the late Alexander Downer, to be educated in some institute of learning in Aiken County; and should there be any surplus of such interest, said Commissioner shall deposit the same in the State treasury until the same shall have accumulated sufficient to purchase other bonds as aforesaid: *Provided*, That he shall purchase said bond or bonds as soon as the fund amounts to enough to buy the same, the interest on such new investment to be used as aforesaid.
- Proviso.**
- Report by Commissioner.** **SEC. 4.** The Commissioner of said fund shall annually, by the 31st day of October, make his report to the State Superintendent of Education, his actions and doings concerning said fund.
- Bond of Commissioner.** **SEC. 5.** That said Commissioner shall, before entering upon the duties of his office, give a bond to the State of South Carolina in the penal sum of eight thousand dollars with three or more sufficient sureties, conditioned for the faithful performance of his duties; said bond to be approved as required by law for County officers, and the same to be recorded in the office of the Register of Mesne Conveyances for Aiken County, and then filed with the State Treasurer.
- Recorded and filed.**
- No compensation** **SEC. 6.** That said Commissioner shall receive no compensation for the services rendered by him.
- When to take effect.** **SEC. 7.** That this Act shall take effect immediately upon its passage.

Approved December 22nd, A. D. 1891.

AN ACT TO REQUIRE COUNTY TREASURERS TO REPORT NUMBER OF POLLS WHO HAVE PAID THEIR POLL TAX TO THE CHAIRMAN OF THE BOARD OF TRUSTEES IN THE SEVERAL SCHOOL DISTRICTS AND TO THE SCHOOL COMMISSIONER, AND TO REQUIRE SCHOOL TRUSTEES TO REPORT TO THE COUNTY AUDITOR ALL TAXABLE POLLS IN THEIR DISTRICTS.

A. D. 1891.

No. 680.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the trustees of the several school districts in the County shall report to the County Auditor the names of all taxable polls in their respective districts, and said Auditor shall enter the same upon the tax duplicate to be furnished the County Treasurer. That said names so furnished shall be published annually in a newspaper published at the County seat once a week for three consecutive weeks, and where there is no paper published at the County seat, then in some other paper having general circulation in the County.

Taxable polls
to be reported.Names to be
published.

SEC. 2. That each County Treasurer, when he has finished the collection of taxes for his County, shall report to the Chairman of each Board of Public School Trustees the number of polls in the respective school districts who have paid said poll tax, and shall also report the same to the County School Commissioner.

County Treas-
urer to report
number who
have paid.

SEC. 3. That any Auditor failing to comply with this Act shall be deemed guilty of a misdemeanor, and upon conviction before a Court of competent jurisdiction shall be fined in the sum of not more than one hundred dollars or be imprisoned for a term not to exceed thirty days.

Penalty for ne-
glect by Auditor.

SEC. 4. That all Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Repealing
clause.

Approved December 22nd, A. D. 1891.

A. D. 1891.

**AN ACT TO PROVIDE AN EXPEDITIOUS WAY OF OBTAINING THE
RIGHT TO DRAIN LANDS ACROSS THE LANDS OF OTHERS IN
THIS STATE.**

No. 681.

Right to open
water way for
drainage.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That any persons owning lands which can only be properly drained through or over lands of other persons through or over which there is no right of way, sufficient waterway or ditch cut, are authorized, as hereinafter provided, to enter, construct and cut a waterway or ditch through and over such lands to the nearest waterway, ditch, stream or outlet then existing.

Proceedings
where servant
tenant objects.

SEC. 2. If the owner or owners of such surrounding or adjacent lands shall signify his or their refusal to the opening of a sufficient waterway or ditch through such lands without previous compensation, the person or persons requiring such waterway or ditch shall give ten days' notice in writing to the person or persons through whose lands such waterway or ditch is required of his intention to cut, open and establish such waterway or ditch, naming in such notice a person who will act as referee for him in the location thereof, and such owner or owners shall within ten days thereafter appoint a referee for the same purpose.

Notice.

Referees.

Notice to non-
residents.

SEC. 3. In case the owner of such adjacent land shall be a non-resident of the State, such notice shall be a twenty days' notice, and shall be served by delivering the same personally to the agent of such owner, if any there shall be residing in the County in which said land lies; and if there be no such resident agent, then by publishing the same once a week for three weeks in the County newspaper having the largest circulation in said County, and also by mailing a copy of such notice to the owner at his last known place of abode; and no proceedings had under this Act shall be valid or effectual to conclude the rights of such owner unless proof of compliance with the provisions of this Section shall be made under oath, approved by the said referees and recorded together with their finding.

Proof of
notification.

In cases of mi-
nors, lunatics, &c.

SEC. 4. If the owner or owners, or either or any of them, of such adjacent lands be a minor or minors, or *non compos mentis*, such proceedings shall be had to bar the rights of such minor or minors or persons *non compos mentis* as are now provided by law in the case of condemnation of lands for streets by municipal corporations.

SEC. 5. The referees so appointed shall, within ten days there-
after, meet at some convenient place and appoint a third re-
feree, and the three referees so appointed shall constitute a
Board of Referees for the location of such waterway or ditch,
and to determine the compensation and damages for the same,
from whose decision an appeal shall lie as in cases in Trial
Justices' Courts.

A. D. 1891.
Board of
Referees.
Action by.
Appeal.

SEC. 6. Within ten days after the appointment of a third
referee, in compliance with the foregoing Section, the said
referees shall meet, and proceed, faithfully and impartially, to
determine the question of location, compensation, and damages
submitted to them, for which purpose they shall inspect the
premises in reference to the proposed waterway or ditch, and
the quantity of land which shall be required therefor, with re-
spect alone to the quantity and value and location of the land
which shall be required, and to the special damage the owner
may sustain by reason of the construction of the waterway or
ditch through his land, and the amount of compensation which
shall be made to the owner thereof, and shall render their ver-
dict in writing for the same.

Meeting of
Board.
Duties.

SEC. 7. Upon the payment of the compensation thus ascer-
tained the right of way over said lands shall be established, and
the right to open and to repair the waterway or ditch from
time to time shall forever remain inviolate; and the finding by
the referees shall be recorded in the office of the Register of
Mesne Conveyance of the County at the expense of the party
demanding such right of way, waterway or ditch.

Rights flowing
from the judg-
ment.
Record of
proceedings.

SEC. 8. If the owner or owners of the lands over which such
waterway or ditch is required shall not, in compliance with
Section 2 above, appoint a referee within the time required, the
referee appointed by the person requiring such waterway or
ditch shall proceed the same as if all three referees had been ap-
pointed, and his action therein, in compliance with Section 3,
shall have the same force and effect as if the full Board of
Referees had acted.

Proceedings in
case the servient
tenant refuses to
appoint a re-
feree.

Approved December 22nd, A. D. 1891.

A. D. 1891.

No. 682.

AN ACT TO AUTHORIZE AND EMPOWER THE TRIAL JUSTICES IN THIS STATE TO ENDORSE THE WARRANTS ISSUED BY TRIAL JUSTICES OF OTHER COUNTIES THAN THEIR OWN, AND TO AUTHORIZE THE PERSON PRESENTING THE SAME, OR ANY SPECIAL CONSTABLE, TO EXECUTE IT.

Warrants to be
endorsed in
County where
served.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, the Trial Justices of this State be, and they are hereby, authorized and empowered to endorse the warrant or warrants issued by Trial Justices of other Counties when the person or persons charged with a crime in said warrant or warrants resides, or is, in the County of said Trial Justice.

Appointment of
Constable.

SEC. 2. That when a warrant or warrants is presented to a Trial Justice for endorsement, as provided for in Section 1 of this Act, the said Trial Justice shall authorize the person presenting same, or any special Constable, to execute the same within his County.

Approved December 22nd, A. D. 1891.

No. 683. AN ACT TO PROVIDE FOR THE MATURING OF PAPER PAYABLE ON ITS FACE ON SUNDAY OR A LEGAL HOLIDAY.

When paper
maturing on
Sunday or other
holiday may be
paid.

SECTION 1. *Re it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That after the passage of this Act any commercial paper or other security which shall mature and become payable and collectible on Sunday or on any legal holiday shall be deemed and taken and treated as maturing and becoming payable and collectible on the next day thereafter, provided such next day shall not be Sunday or a legal holiday; in which latter event the same shall be deemed, taken and treated as due, maturing and collectible on the first day thereafter which is not Sunday or a legal holiday.

Approved December 22nd, A. D. 1891.

AN ACT TO REGULATE THE LIENS OF MORTGAGES ON CROPS AND
TO DEFINE WHAT CROPS CAN BE MORTGAGED.

A. D. 1891.

No. 684.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That no mortgage of any crop or crops shall be good and effective to convey to the mortgagee any interest in any crop or crops other than the crop or crops to be raised during the year in which said mortgage is given, and unless the land whereon-said crop or crops are to be raised shall be described or mentioned in said mortgage.

Mortgage of
crops valid only
for the year.

Planting place
to be described.

Approved December 22d, A. D. 1891.

AN ACT TO AMEND THE LAW IN REGARD TO JURIES.

No. 685.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the number of names to be placed by the Board of Jury Commissionere of Georgetown County in the tales-box for jurors for said County, shall be seventy-five (75).

Number of
talesmen in
Georgetown.

SEC. 2. That this Act shall take effect from and immediately after its approval.

When to take
effect.

SEC. 3. That whenever any Circuit Judge shall order food to be furnished by the Sheriff to any jury charged with the consideration of a case, the expenses connected therewith shall be paid by the County Commissioners of the County in which such case is being tried, upon presentation of the bill of the Sheriff, certified as correct by the Presiding Judge.

Feeding of ju-
ries to be paid by
the County.

Approved December 22nd, A. D. 1891.

A. D. 1891.

No. 686.

A JOINT RESOLUTION TO AUTHORIZE THE STATE TREASURER TO COLLECT OR SELL EVIDENCES OF INDEBTEDNESS TURNED OVER TO HIM AS PART OF CLEMSON BEQUEST AND INVEST SAME IN STATE STOCK.

State Treasurer to collect.

And invest in Brown Consols.

Certificate of State stock.

Trustees to hold as perpetual fund.

Cancellation of Brown Consols.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer of this State be, and he is hereby, authorized and empowered to collect by suit or otherwise, or to sell and convert into money, all the evidences of indebtedness now held by him and which was turned over to him as a part of the Clemson bequest, and that when he shall have received the money on same that he invest the same in Brown Consols bearing interest at six per cent. per annum.

SEC. 2. That when said funds are invested in said Brown Consols, as provided for in the first Section of this Resolution, then the State Treasurer shall issue a certificate of State stock in a sum equal to the face value of said Brown Consols, bearing interest at the rate of six per centum per annum, payable semi-annually to the board of trustees of the Clemson Agricultural College, to be held as a perpetual fund, the capital of which shall forever remain undiminished, the interest on same to be used by said board of trustees for the uses of said Clemson Agricultural College, and when the said State stock is so issued he do then cancel the said Brown Consols in the place of which the said State stock was issued.

Approved December 22nd, A. D. 1891.

No. 687. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE REVISION, DIGEST, AND ARRANGEMENT OF THE STATUTE LAWS OF THE STATE OF SOUTH CAROLINA," APPROVED DECEMBER 23RD, A. D. 1889.

A. A. 1889, ante 220, amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, Section 2 of an Act entitled "An Act to provide for the revision,

digest, and arrangement of the Statute Laws of the State of South Carolina," approved December 23rd, 1889, be, and the same is hereby, amended by striking out the words, "may be re-enacted," and also by striking out the words, "adopted and ratified," and inserting in lieu thereof the word "approved," so that said Section shall read as follows:

SECTION 2. When said Commissioner has completed the revision, digest, consolidation, and arrangement of the Statutes and the formation of the Penal Code, as aforesaid, he shall cause a copy of the same, in print, to be submitted to the General Assembly, that the Statutes so revised, digested, and arranged, and the Penal Code so formed, may be approved, if the General Assembly shall so determine. And at the same time he shall suggest to the General Assembly, in a report separate and distinct from his said revision, such contradictions and imperfections as may appear in the original text, with the manner in which he proposes to reconcile the same: *Provided*, No amendment or alteration in the Statute or common law as the same exists, shall be made or contained in his said report.

SEC. 2. That Section 3 of the said Act be, and the same is hereby, amended by striking out the words, "1891," and inserting in lieu thereof the words, "1892," so that said Section as amended shall read as follows:

SECTION 3. The Statutes so revised, digested, and arranged, and the Penal Code so formed, shall, if practicable, be reported to this General Assembly at the beginning of its session in November, 1892.

SEC. 3. That the Commissioner shall receive compensation for the additional period, from November, 1891, to November, 1892, at the same rate and payable in the same manner as is provided in Section 4 of said Act, provided that said Commissioner shall include in said work a complete annotation of the decisions of the Supreme Court of this State, construing any portion of said Statutes.

Approved December 23rd, A. D. 1891.

A. D. 1891.

No. 688.

AN ACT TO FURTHER AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE REDEMPTION OF THAT PART OF THE STATE DEBT KNOWN AS THE BROWN CONSOL BONDS AND STOCKS BY THE ISSUE OF OTHER BONDS AND STOCKS," APPROVED DECEMBER 24TH, A. D. 1889.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

A. A. 1889, ante
380, amended.

Section 1 of an Act entitled "An Act to provide for the redemption of that part of the State debt known as the Brown Consol Bonds and Stocks by the issue of other bonds and stocks," approved December 24th, A. D. 1889, be and said Section 1 of said Act is hereby amended, so that said Section 1, as amended, shall read as follows :

Section 1 as
amended, State
Treasurer au-
thorized to re-
ceive Brown
bonds and cou-
pons and stock.

SECTION 1. That the State Treasurer be, and he is hereby, authorized and required to receive from the holders thereof, who shall surrender the same before the first day of July, A. D. 1893, all coupon bonds and all certificates of stock commonly known as Brown Consol Bonds and Stocks, issued under the provisions of an Act of the General Assembly of this State entitled "An Act to reduce the volume of the public debt and provide for the payment of the same," approved December, A. D. 1873, and Acts amendatory thereto, and other Acts providing for the funding of bills of Bank of this State, and Acts to fund past due interest on Consols, and an Act to provide for the settlement of the consolidated debt of the State, in accordance with the decision of the Supreme Court of South Carolina, approved 23rd December, 1879, and an Act amending the same approved 19th February, 1880, and other Acts authorizing the issue of said Consols, and also any other like bonds and stock which may be hereafter issued in pursuance of said Acts of the

And issue in
exchange new
bonds or stock at
par.

General Assembly, and shall thereupon, in exchange for and in lieu of said bonds and certificates of stock so surrendered, issue to said holder other coupon bonds and certificates of stock of equal face value with those so surrendered, and of the kind, class and description the issue of which is provided for in Section 2 of this Act, or the State Treasurer may issue to such holders as shall require it all bonds or all stock or part bonds and part stock, of said authorized issue, in making such exchange; and further, at the time of such surrender the State Treasurer shall pay to the holder of such bonds and stock, in cash, the difference in interest from the date of exchange or

Pay difference
in interest up to
July 1, 1893.

from the last interest period, to-wit: from January or July as the case may be, up to the date of maturity of such bonds and stock, that is to say, two (2) per centum per annum interest from the date of exchange or from the last interest period, to-wit: from January or July as the case may be, up to the first day of July, A. D. 1893. If the bonds and certificates of stock, the issue of which is hereinafter provided for, shall not be exchanged for the aforesaid consolidated bonds and stock at par on or before the first day of January, A. D. 1892, then and in such case, the State Treasurer, in the manner hereinafter provided, is authorized to sell the same or any part thereof to the highest bidder, but in no case for less than their face value, and to immediately apply the proceeds of such sale to the purchase of the aforesaid consolidated bonds and stock, either before or at the maturity thereof, which maturity will be on the first day of July, A. D. 1893: *Provided*, That the State Treasurer shall be authorized to reject any or all bids for said bonds and certificates of stock. And the State Treasurer, immediately after the approval of this Act, shall, by advertisement for such length of time as he may deem advisable, in one newspaper published in the City of Greenville, Columbia, Charleston and New York, respectively, give notice of the provisions made in this Act for the said exchange.

A. D. 1891.

All not issued
in exchange by
January 1, 1892,
to be sold.

At not less
than par, and
pay old bonds
and stock.

Bids may be
rejected.

Advertisement.

SEC. 2. That the said Act be and is hereby further amended by adding to Section 10 the following:

"And in order to have the said bonds and stocks promptly placed the Governor and State Treasurer are hereby authorized to offer and to pay a commission to parties placing said bonds and stock; and the funds belonging to the sinking fund are hereby appropriated to pay such commission if so much be necessary and thirty thousand dollars in addition are hereby appropriated from the State Treasury, if so much additional be necessary to pay such commissions: *Provided, however*, That they shall have said bonds and stock placed without paying a commission if practicable." So that said Section 10 as amended shall read as follows:

SECTION 10. That the Governor and State Treasurer are hereby authorized in their discretion to perform all and singular every act necessary to carry out the provisions of this Act not herein specifically given, and which are not inconsistent with the provisions thereof, and in order to have the said bonds and stock promptly placed the Governor and State Treasurer are hereby authorized to offer and to pay a commission to parties

Additional
provision.

Commission to
broker.

A p p r o p r i a t i o n
to pay commie-
sion.

Proviso.

Section as
amended.

Powers of Gov-
ernor and State
Treasurer.

Commission to
broker.

A. D. 1891. placing said bonds and stock, and the funds belonging to the sinking fund are hereby appropriated to pay such commission if so much be necessary and thirty thousand dollars in addition are hereby appropriated from the State Treasury, if so much additional be necessary, to pay such commission: *Provided, however,* That they shall have said bonds and stock placed without paying a commission if practicable.

A p p r o p r i a t i o n
to pay commission.

Proviso.

Approved December 23rd, A. D. 1891.

No. 689. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT TO PROVIDE FOR THE REDEMPTION OF THAT PART OF THE STATE DEBT KNOWN AS THE BROWN CONSOL BONDS AND STOCKS BY THE ISSUE OF OTHER BONDS AND STOCKS,' APPROVED DECEMBER 24TH, A. D. 1889," APPROVED DECEMBER 24TH, A. D. 1890.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

A. A. 1890, § 2,
ante 711, amended.

Section 2 of an Act entitled "An Act to amend an Act entitled 'An Act to provide for the redemption of that part of the State debt known as the Brown Consol Bonds and Stocks by the issue of other bonds and stocks,' approved December 24th, A. D. 1889," approved December 24th, A. D. 1890, by striking out the word "moneyed." Also, by adding after the words "capital stock" the words "or funds," and also by adding after the word "corporation" the words "of any nature or kind." So that said Section 2 as amended shall read as follows:

Additional Section to A. A. 1889, ante 350.

SECTION 2. That the said Act be further amended by adding thereto the following Section, to be designated as Section 13 of said Act, viz.:

Capital stock of corporations invested in bonds exempt from taxation.

That so much of the capital stock or funds of any bank, banking association or other corporation of any nature or kind located within this State as is or shall be invested in the bonds and stock, or either of them, the issue of which is provided for in the said Act, shall be exempt from all State, County, township, municipal or other taxation.

Approved December 24th, A. D. 1891.

AN ACT TO PROVIDE FOR PROCURING AND PRESERVING DOCUMENTS RELATING TO THE HISTORY OF SOUTH CAROLINA, AND TO MAKE AN APPROPRIATION FOR THE SAME.

A. D. 1891.

No. 690.

Whereas there are certain historical documents of record in the public archives of England necessary to the authentic history of South Carolina, of common interest to all the people of the State; *And whereas* it is of importance that transcripts of these original manuscripts be procured by the State, and deposited in the office of the Secretary of State at the capital; and that provision be made for the supervision of this work, and that an appropriation be made to inaugurate it; now, therefore,

Preamble.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a Commission be, and is hereby, created to be known as the "Public Record Commission of the State of South Carolina," to consist of the Secretary of State *ex officio* as Chairman, and four other citizens of the State, to be appointed by the Governor, who shall serve without compensation.

Public Record
Commission.

SEC. 2. That it shall be the duty of said Commission to procure transcripts of such documents relating to the history of South Carolina as they may deem necessary or important, and to superintend the copying and arranging of the same.

How constituted.

SEC. 3. That the transcripts of documents so procured shall be deposited in the office of the Secretary of State, and that he shall make provision for the suitable preservation and arrangement of the same in that office.

Disposition of
transcripts.

SEC. 4. That the sum of four thousand dollars, to be paid out of any funds in the treasury of the State not otherwise appropriated, be, and is hereby, appropriated for the purpose of inaugurating the provisions of the preceding Sections, the said money to be paid to the Secretary of State upon the warrant of the Comptroller General.

Appropriation
of \$4,000.

SEC. 5. This Act shall take effect from and immediately after its ratification.

How drawn.

When to take
effect.

Approved December 23rd, A. D. 1891.

A. D. 1891.

AN ACT TO AMEND THE LAW IN RELATION TO ATTORNEYS' COSTS IN EQUITY CAUSES.

No. 691.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That **Repealing clause.** all Acts in relation to attorneys' costs in equity causes be, and **Proviso as to pending suits.** the same are hereby, repealed: *Provided*, That this shall not apply to causes now pending.

Attorneys' costs in equity causes. **SEC. 2.** That in equity causes commenced after the passage of this Act attorneys' costs shall be the same as allowed in law causes: *Provided*, That plaintiff's and defendant's attorneys shall be also allowed the same costs as are now provided for them for references, exceptions, and appointment of guardians *ad litem*: *Provided, further*, That no attorney shall be allowed to tax costs both as plaintiff's and defendant's attorneys: *And provided, further*, That costs of reference shall not be taxed for more than six days.

Provisoes.

Repealing clause. **SEC. 3.** That all Acts or parts of Acts inconsistent with or repugnant to this Act are hereby repealed.

Approved December 23d, A. D. 1891.

No. 692. AN ACT TO MAKE APPROPRIATIONS FOR THE PAYMENT OF THE PER DIEM, MILEAGE AND STATIONERY CERTIFICATES OF THE MEMBERS OF THE GENERAL ASSEMBLY, THE SALARIES OF THE SUBORDINATE OFFICERS AND EMPLOYEES THEREOF, AND FOR OTHER PURPOSES HEREIN NAMED.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same: That the following sums, if so much be necessary, be, and the same **General appropriation clause.** are hereby, appropriated to meet the expenses of the General Assembly at its regular session beginning on the twenty-fourth day of November, 1891, to the close of the session, and for other purposes herein named, as is more specifically indicated in the several succeeding Sections of this Act; that is to say:

SENATE.

A. D. 1891.

SEC. 2. That the following sums, if so much be necessary, be, Senate expenses. and the same are hereby, appropriated to pay the expenses of the Senate from the twenty-fourth day of November, 1891, inclusive, to the close of the session, as follows:

For the per diem, mileage and stationery certificates of the President and members. members of the Senate and the presiding officer thereof, if so much be necessary, six thousand eight hundred and seventy-one 40-100 dollars; for the pay of Sampson Pope, Clerk of the Clerk and assistants. Senate, one thousand dollars; for the pay of Robert M. McCown, Assistant Clerk of the Senate, two hundred and fifty dollars; for the pay of J. Y. Jones, Journal Clerk of the Senate, one Journal Clerk. hundred and fifty-five dollars, and four dollars per day for the number of days he may be actually engaged in the work of the Senate after the adjournment thereof, not to exceed twenty days, said number of days of such engagement to be certified by the said Journal Clerk; for the pay of F. C. Caughman, Reading Clerk. Reading Clerk of the Senate, two hundred and fifty dollars; for the pay of J. C. Elliott, Sergeant-at-Arms of the Senate, two Sergeant-at-Arms. hundred and fifty dollars; for the pay of W. J. Moore, Bill Clerk of the Senate, one hundred and fifty-five dollars; for the pay of George H. Moffett, Clerk of the Judiciary Committee Committee Clerks. of the Senate, one hundred and fifty-five dollars; for the pay of W. N. Hamilton, Clerk of the Finance Committee of the Senate, one hundred and fifty-five dollars; W. H. Meetze, Clerk of the Committee on Roads, Bridges, and Ferries, and County Offices and Officers of the Senate, the sum of one hundred and fifty-five dollars; for the pay of W. R. Bullock, General Committee Clerk of the Senate, one hundred and fifty-five dollars; H. B. Crossland, Clerk of Committees on Incorporations and Railroads of the Senate, the sum of one hundred and fifty-five dollars; for the pay of Thomas Whittle, W. J. Arrant, E. P. Jenkins and J. A. Carnes, Doorkeepers of the Senate, each ninety-three dollars. Doorkeepers. for the pay of T. D. Dawkins, Mingo White and Albert Nance, Laborers of the Senate, each sixty-two dollars; for the pay of Calhoun Butler, Porter in the office of the Clerk of the Senate, ninety-three dollars; for the pay of W. W. Lazenberg, Porter of the Committee Rooms of the Senate, sixty-two dollars; for the pay of J. P. Davis and William L. Hemphill, Pages of the Pages. Senate, each sixty-two dollars; for the pay of N. O. Pyles, Mail Carrier of the Senate, ninety-three dollars, and twenty-five dollars for services rendered as Mail Carrier of the Engraving Mail carrier.

A. D. 1891. Department; for the pay of W. C. Power, Chaplain of the Senate, fifty dollars; for the incidental or contingent fund of the Senate, six hundred dollars, if so much be necessary, to be paid on certificates drawn by the President of the Senate and attested by the Clerk of the Senate on accounts audited by the Committee on Contingent Accounts and passed by the Senate:

Chaplain.
Contingent fund.

Provido. *Provided*, That no part of said contingent fund be used in giving extra pay to any of the employees of the Senate.

HOUSE OF REPRESENTATIVES.

House expenses. SEC. 3. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to pay the expenses of the House of Representatives from the twenty-fourth day of November, 1891, inclusive, to the close of the session, as follows:

Members. For the per diem, mileage and stationery certificates of the members of the House of Representatives, twenty-three thousand dollars; for the pay of J. Walter Gray, Clerk of the House of Representatives, one thousand dollars; for the pay of W. M. Rodgers, Assistant Clerk of the House of Representatives, one hundred and eighty-eight and 82-100 dollars; and for S. W. Vance, as Assistant Clerk, sixty-one 18-100 dollars; for the

Clerks and assistant. pay of J. Wilson Gibbes, Journal Clerk of the House of Representatives, one hundred and fifty-five dollars, and four dollars per day for the number of days he may be actually engaged in the work of the House of Representatives after the adjournment thereof, not to exceed twenty days, said number of days of such engagement to be certified by said Journal Clerk; for

Journal Clerk. the pay of J. C. Wilborn, Reading Clerk of the House of Representatives, two hundred and fifty dollars; for the pay of N. H. Stansell, Sergeant-at-Arms of the House of Representatives, two hundred and fifty dollars; for the pay of T. C. Hamer, Bill Clerk of the House of Representatives, one hundred and fifty-five dollars; for the pay of H. M. Davidson, Clerk of the Committee of Ways and Means of the House of Representatives, one hundred and fifty-five dollars; for the extra pay of H. M. Davidson, Clerk of the Committee of Ways and Means of the House of Representatives, for work done after the adjournment of the General Assembly of 1890, forty dollars; for the pay of W. H. Macfeat, Clerk of the Judiciary Committee of the House of Representatives, one hundred and fifty-five dollars, and twenty-five dollars as Clerk of the Committee on Incorporations; for the pay of C. H. Nixon, Clerk of the Committees on

Reading Clerk.

Sergeant-at-Arms.

Bill Clerk.

Committee Clerks.

Claims and Enrolled Acts of the House of Representatives, one hundred and eighty dollars; for the pay of Richard Owens, Walter Nixon and Peter Sanders, Doorkeepers of the House of Representatives, each ninety-three dollars; for the pay of Jesse M. Goodwin, William H. Gaston, Robert P. Fair and Mel-
 tiah B. Green, Pages of the House of Representatives, each sixty-two dollars; for the pay of Counts Cross, Neal Watts, Casper Watts and Robert Caldwell, Laborers of the House of Representatives, each sixty-two dollars; for the pay of James Adamson and West Oliphant, Porters of the Committee Rooms of the House of Representatives, each sixty-two dollars; for the pay of Henry M. Stone, Keeper of the Speaker's Room and Porter to the Clerk of the House of Representatives, ninety-three dollars, and ten dollars extra to James Adamson for extra services to the Committee on Agriculture; for the pay of A. C. Anderson, Mail Carrier of the House of Representatives, ninety-three dollars; for the pay of O. A. Darby, Chaplain of the House of Representatives, fifty dollars. For the incidental or contingent fund of the House of Representatives, five hundred dollars, if so much be necessary, to be paid on certificates drawn by the Speaker of the House of Representatives, and attested by the Clerk of the House of Representatives, on accounts audited by the Committee on Contingent Accounts and passed by the House of Representatives: *Provided*, That no part of said contingent fund be used to give extra pay to any of the employees of the House of Representatives.

A. D. 1891.

Doorkeepers.

Pages.

Laborers and
other employees.

Mail carrier.

Chaplain.

Contingent fund.

Provido.

ENGROSSING DEPARTMENT.

SEC. 4. That the sum of three thousand two hundred and forty-seven 80-100 dollars, if so much be necessary, be, and the same is hereby, appropriated to pay the expenses of the Engrossing Department of the General Assembly from the twenty-fourth day of November, 1891, inclusive, to the close of the session, as follows:

For the pay of J. M. Johnson, P. H. Nelson, O. L. Schumpert, and M. F. Ansel, each five dollars per day, Solicitors in the (Engrossing Department) office of the Attorney General; W. St. Julien Jervey, for seven days' service, thirty-five dollars, and mileage, twenty-six dollars; for the pay of F. F. Covington, A. C. Jones, C. W. Garriss, W. H. Stack, B. F. Townsend, R. M. Sims, Jr., W. A. Kelley, Jr., James Furse, P. N. Timmerman, E. T. Alsobrooks, John Boyd, H. T. Wardlaw, S. W. Vance, and D. H. Witherspoon, Clerks in the (Engrossing De-

Expenses of
Engrossing De-
partment.

Solicitors.

Clerks.

A. D. 1891.	partment) office of the Attorney General, each five dollars per day.
Mileage of Solicitors.	To pay the mileage of the Circuit Solicitors, as follows: J. M. Johnson, twenty 60-100 dollars; P. H. Nelson, thirteen dollars; O. L. Schumpert, nine 40-100 dollars; M. F. Ansel, twenty-three 80-100 dollars.
Porter.	For the pay of J. W. Williams, Porter, (in the Engrossing Department) office of the Attorney General, sixty-two dollars; for
Flagkeeper.	the pay of Edward J. Jones, Flag Keeper, sixty-two dollars; for
Special assistant.	for the pay of R. A. Cox, temporary Special Assistant to the Keeper of the State House, sixty-two dollars, to be paid on the joint certificates of both Houses, signed by the presiding officers thereof, and attested by the Clerks. For the incidental or con-
Contingent expenses.	tingent expenses of the Engrossing Department, two hundred dollars, if so much be necessary, to be paid on certificates drawn by the Speaker of the House of Representatives, on accounts audited by the Committee on Contingent Accounts and passed by the House of Representatives.

MISCELLANEOUS.

Miscellaneous expenses.	SEC. 5. That the following sums, if so much be necessary, be, and the same are hereby, appropriated for miscellaneous expenses, namely:
Extra Clerical services.	For the pay of extra clerical services in the Engrossing Department, two hundred and fifty dollars, to be paid on the joint certificates of the presiding officers of the two Houses, signed by the presiding officers thereof, and attested by the Clerks, upon the application of the Attorney General.
Preparing Acts for publication.	For preparing for the printer, indexing and making marginal notes of the Acts and Joint Resolutions of the regular session of the General Assembly of 1891, to be done under the supervision of the State Reporter, two hundred and fifty dollars. For in-
Index to 20th Statute.	dexing the twentieth volume of the Statutes at Large, to be closed with the Acts of the present session, one hundred dollars, the work to be done under the supervision of the State Reporter.
Committee to investigate Lunatic Asylum.	To pay the per diem and mileage of the Committee appointed under a Concurrent Resolution to investigate the books and management of the Lunatic Asylum, one hundred and thirty dollars, as follows: Thomas J. Strait, forty-one dollars; W. H. Timmerman, thirty-five 40-100 dollars; H. P. Goodwin, fifty-seven 60-100 dollars.

SEC. 6. That the President of the Senate and Speaker of the House of Representatives, respectively, shall furnish pay certificates for the amount of per diem and mileage due to each member of the Senate and House of Representatives, and to each officer and employee of that branch of the General Assembly to which such officer and employee shall respectively belong, signed by the respective officers and properly attested by the Clerks of such branch of the General Assembly.

A. D. 1891.
Pay certificates.

SEC. 7. That this Act shall take effect from and immediately after its date of approval, and all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are, for the purposes of this Act, hereby repealed.

When to take effect.
Repealing clause.

Approved December 23rd, A. D. 1891.

A JOINT RESOLUTION ACCEPTING THE TERMS AND TRUSTS No. 693.

CONTAINED IN AN ACT OF CONGRESS OF THE UNITED STATES ENTITLED "AN ACT TO CREDIT AND PAY TO THE SEVERAL STATES AND TERRITORIES AND THE DISTRICT OF COLUMBIA ALL MONEY COLLECTED UNDER THE DIRECT TAX LEVIED BY THE ACT OF CONGRESS," APPROVED AUGUST 5TH, EIGHTEEN HUNDRED AND SIXTY-ONE.

Whereas the Senate and House of Representatives of the United States of America, in Congress assembled, has passed an Act entitled "An Act to credit and pay to the several States and Territories and the District of Columbia all money collected under the direct tax levied by the Act of Congress," approved August 5th, one thousand eight hundred and sixty one:

Preamble reciting Act of Congress.

And whereas the said Act, the title of which is above quoted, was duly signed and approved by the President of the United States, on the third day of March, one thousand eight hundred and ninety-one:

And whereas it is provided, *inter alia*, in said Act, approved on the third day of March, one thousand eight hundred and ninety-one, that it shall be the duty of the Secretary of the Treasury to credit to each State and Territory of the United States and the District of Columbia a sum equal to all collections by set-off or otherwise made from said States or Territories and the Dis-

A. D. 1891.

trict of Columbia, or from any of the citizens or inhabitants thereof, or other persons, under the Act of Congress, approved August 5th, one thousand eight hundred and sixty-one, and the amendatory Acts thereto.

And *whereas* it is further provided, "That there is hereby appropriated, out of any money in the treasury not otherwise appropriated, such sums as may be necessary to reimburse each State, Territory and the District of Columbia for all money found due to them under the provisions of this Act, and the Treasurer of the United States is hereby directed to pay the same to the Governors of the States and Territories and to the Commissioners of the District of Columbia; but no money shall be paid to any State or Territory until the Legislature thereof shall have accepted by resolution the sum herein appropriated, and the trust imposed, in full satisfaction of all claims against the United States on account of the levy and collection of said tax, and shall have authorized the Governor to receive said money for the uses and purposes aforesaid; therefore,

Acceptance
and release.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by authority of the same, That the State of South Carolina hereby accepts the amount of money provided by the first Section of the Act of Congress hereinbefore referred to in full satisfaction of all claims against the United States on account of the levy and collection of direct tax from this State, or the citizens or inhabitants thereof, by the authority of the Act of Congress, approved August fifth, eighteen hundred and sixty-one, and authorizes the Governor of the State of South Carolina to receive said money and deposit the same in the treasury of this State, for the use and purposes stated in said Act of Congress, and hereby agrees to hold the said fund upon the trusts, conditions and limitations raised, created, stated and set forth in the third (3d) Section of the Act of Congress entitled "An Act to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the Act of Congress approved August fifth, eighteen hundred and sixty-one."

Governor to
receive and de-
posit.

Held in trust.

A special deposit.

Disbursement.

And the said fund when so received shall be held and retained as a special deposit, and used and disbursed only for the purpose of paying the claims of the several parties entitled thereto and for no other purpose whatsoever.

Approved December 23rd, A. D. 1891.

AN ACT TO PROVIDE A MODE OF DISTRIBUTION OF THE MONEYS COLLECTED AS DIRECT TAX FROM THE CITIZENS OF THIS STATE BY THE UNITED STATES AND TURNED OVER IN TRUST TO THE STATE OF SOUTH CAROLINA.

A. D. 1891.

No. 694.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the money collected by the United States from the citizens of this State as direct taxes and paid over to the State of South Carolina in trust under the provisions of Section 3 of an Act of Congress, approved March 2d, 1891, shall be paid to the persons or inhabitants of this State from whom it was collected, or their legal representatives, in the following manner: To whom to be paid.

SEC. 2. That the Governor shall appoint a Commissioner, who shall receive a salary of four hundred dollars and his actual travelling expenses for one trip going to and returning from Washington, and shall hold his office for three months from the date of his appointment, unless sooner removed by the Governor for malfeasance in office, neglect of duty, or other good cause him thereunto moving. He shall qualify for said office by taking and subscribing the oath of office presented by the Constitution of this State. Commissioner to be appointed.

SEC. 3. It shall be the duty of the said Commissioner to proceed at once to the city of Washington and there to obtain from the Secretary of the Treasury of the United States a schedule, certified by said Secretary, showing the items which make up the gross sum to be refunded under the said Act of Congress, of which schedule two copies shall be made by him, one of which shall be deposited in the office of the Clerk of the Court of Common Pleas for Beaufort County, and the other shall be deposited in the office of the Clerk of the Court of Common Pleas for Charleston County; and the original shall be filed in the office of the Secretary of State of this State. The said schedule shall be conclusive evidence of the amount of each separate claim therein stated. Commissioner to prepare schedule.

SEC. 4. All persons entitled to any portion of the said fund, or their legal representatives, shall have the right to present their petitions to the Master of Beaufort County, and one of the Masters of Charleston County, to be designated by the Governor, respectively, alleging that they are entitled thereto, and praying the allowance of their claims. And it shall be the duty of the said Masters forthwith to prepare and have printed suitable Copies to be made and deposited. Conclusiveness of schedule. Petitions by claimants. Masters to prepare forms.

A. D. 1891.

Expenses.

forms of such petitions in sufficient quantity for the use of such claimants, the expense of printing the same to be paid on the approval of the Governor by the warrant of the Comptroller General.

Proceedings
on proof of
claims.

Evidence and
practice.

Appeal to
Common Pleas.

Time for
appealing.

Master's
Calendars.

Proof.

Judgments.

Certificate to
be sent to Gov-
ernor.

Governor to
issue order to
Comp. Gen.

Payment to
orders of others.

SEC. 5. Upon the filing of the said petitions with said Masters, respectively, they shall proceed with all convenient speed to take proof of said claims. In the hearing of the cases arising thereon, they shall observe, as near as may be, the rules of evidence and practice now in force in the Court of Common Pleas in this State, and shall exercise all the powers now vested in them by law for the trial of causes. They shall take the evidence in writing, and file the same, with their judgments and the other papers in each case, in the offices of the Clerks of the Courts of Common Pleas for Beaufort and Charleston Counties, respectively. Any party interested in said judgments, may appeal therefrom to the Courts of Common Pleas for said Counties, respectively, whose judgments thereon shall be final: *Provided*, That such appeal shall be taken within five days after the filing of the Masters' judgment, as herein provided.

SEC. 6. The said petitions shall be entered by the Masters upon Calendars to be by them kept for the purpose; and all persons who shall have filed such petitions shall make proof of the same in manner satisfactory to the Masters, who shall enter upon said Calendars the amounts adjudged to each petition.

SEC. 7. In case no appeal be taken from his finding, the Master shall also, in each case, certify the same to the Governor of the State, with a statement of the names of the petitioners and the amount adjudged to each of them; and, in case of appeal, the Clerk of the Court of Common Pleas shall certify the judgment of the said Court to the Governor, with a like statement of the names of the petitioners and the amounts adjudged to each of them.

SEC. 8. When any claim shall have been filed and adjudicated, as herein provided for, and the said judgment and statement shall have been certified to the Governor, the Governor of the State shall issue his order upon the Comptroller General, directing him to draw his warrant upon the State Treasurer for the amount adjudged to such claimant, or his or her legal representatives, less the per cent. to defray the expenses of the distribution of said fund in accordance with the provisions of this Act: *Provided*, That any payment which may be made with the sanction and by the direction of the Governor, in acknowledgment of any written order or request of any of said claimants, or his

or their legal representatives, duly authenticated, to any person or persons named in such written orders or requests, shall be deemed a payment to such claimants or their legal representatives within the meaning of this Section.

A. D. 1891.

SEC. 9. For any and all services rendered by them pursuant to the provisions of this Act, the said Masters shall receive the following compensation, respectively, that is to say: The Master of Beaufort County five hundred dollars, and the Master of Charleston County five hundred dollars, to be paid upon the completion of their work upon the approval of the Governor by the warrant of the Comptroller General.

Compensation
to Masters.How and
when paid.

SEC. 10. The said Masters shall publish a notice once a week for four weeks in one daily newspaper published in the city of Charleston, and one newspaper published in the town of Beaufort, requiring all claimants to appear before them and make proof of their claims, the expenses of such publication to be paid, on the approval of the Governor, by the warrant of the Comptroller General.

Notice to
claimants.

Expenses.

SEC. 11. That such a per cent. of the amount turned over by the United States to the State of South Carolina in trust as aforesaid, shall be set apart by the State Treasurer as may be actually necessary to defray the expenses of distribution, as specifically enumerated and provided for by this Act, and shall be by him applied to this purpose.

State Treasur-
er to set apart
fund for expen-
ses.

SEC. 12. That all claims upon the said fund not filed within six years from the second day of March, eighteen hundred and ninety-one, shall be forever barred, and the money attributable thereto shall belong to the State of South Carolina, and shall be covered into the Treasury of the State for public purposes.

Claims barred
in 6 years.To be covered
into State Treas-
ury.

Approved December 24th, A. D. 1891.

A. D. 1891.

No. 695.

AN ACT TO PROVIDE FOR THE APPORTIONMENT OF THE REPRESENTATIVES IN THE HOUSE OF REPRESENTATIVES OF THE STATE OF SOUTH CAROLINA, FROM THE SEVERAL COUNTIES IN THIS STATE, ACCORDING TO THE ENUMERATION OF THE UNITED STATES CENSUS FOR THE YEAR 1890.

Preamble.

Whereas, The Constitution of South Carolina, Article II., Section 4, requires that representation in the General Assembly shall be apportioned among the several Counties of the State in the course of every tenth year after 1875; *and whereas*, the said Section of the Constitution was duly amended in 1886, authorizing the General Assembly, at any time in its discretion, to adopt the immediately preceding United States census as a true and correct enumeration of the inhabitants of the several Counties, and make the apportionment and assignment among the several Counties according to said enumeration; *and whereas*, there has been no enumeration of the inhabitants of the several Counties by the State since 1875;

U. S. Census of
1890 accepted as
correct.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the United States Census for the year eighteen hundred and ninety be, and the same is hereby, adopted as a true and correct enumeration of the inhabitants of the several Counties of this State; and that the apportionment and assignment of Representatives among the several Counties be made according to said enumeration.

Apportionment
to be made ac-
cordingly.

Number of
Representatives
in the General
Assembly from
the several Coun-
ties.

SEC. 2. That the several Counties shall, at the session of the General Assembly next following the first general election after the passage of this Act, and thereafter until the same shall be repealed, be entitled to Representatives as follows: Abbeville, 5; Aiken, 3; Anderson, 5; Barnwell, 5; Beaufort, 4; Berkeley, 6; Charleston, 7; Chester, 3; Chesterfield, 2; Clarendon, 3; Colleton, 4; Darlington, 3; Edgefield, 5; Fairfield, 3; Florence, 3; Georgetown, 2; Greenville, 5; Hampton, 2; Horry, 2; Kershaw, 2; Lancaster, 2; Laurens, 3; Lexington, 2; Marion, 3; Marlborough, 3; Newberry, 3; Oconee, 2; Orangeburg, 5; Pickens, 2; Richland, 4; Spartanburg, 6; Sumter, 5; Union, 3; Williamsburg, 3; York, 4.

Repealing
clause.

SEC. 3. All Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 24th, A. D. 1891.

AN ACT TO RAISE SUPPLIES AND MAKE APPROPRIATIONS FOR
THE FISCAL YEAR COMMENCING NOVEMBER 1ST. 1891.

A. D. 1891.

No. 696.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a tax of four and one-half ($4\frac{1}{2}$) mills, exclusive of the public school tax hereinafter provided for, upon every dollar of the value of all taxable property of this State, be, and the same is hereby, levied for the purpose of meeting appropriations to defray the current expenses of the government for the fiscal year commencing November 1, 1891, and to meet such other indebtedness as has been, or shall be, provided for in the several Acts and Joint Resolutions passed by this General Assembly at the regular session of 1891 providing for the same.

SEC. 2. That a tax is hereby levied upon all taxable property in each of the Counties of this State for County purposes for the fiscal year commencing November 1, 1891, to the amounts hereinafter respectively stated; that is to say:

For the County of Abbeville, for ordinary County purposes, three mills; for past indebtedness and interest on same, one-fourth of one mill.

For the County of Aiken, for ordinary County purposes, three mills; for past indebtedness, one-fourth of one mill.

For the County of Anderson, for ordinary County purposes, three mills.

For the County of Barnwell, for ordinary County purposes, three (3) mills. Two thousand dollars of any surplus now in the hands of the Treasurer of said County, for ordinary County purposes shall be held and appropriated exclusively for the payment of the certificates of jurors, State witnesses and Court constables during the present year, and any surplus thereof be carried over to the credit of the same special fund for the next ensuing fiscal year.

For the County of Beaufort, for ordinary County purposes, three and one-fourth ($3\frac{1}{4}$) mills; for past indebtedness, one (1) mill; for roads and bridges, three-fourths ($\frac{3}{4}$) of one mill; and the proceeds derived from the issuing of liquor licenses shall be applied, first to the payment of the Court expenses (General Sessions and Common Pleas), and the remainder, if any, to the fund for ordinary County purposes. That the residue, if any, of the proceeds derived from liquor licenses during the last fiscal year, now in the hands of the County Treasurer, shall be applied to

A. D. 1891.	the payment of the ordinary County expenses for the last fiscal year, ending October 31st, 1891.
Berkeley 4½ mills.	For the County of Berkeley, for ordinary County purposes, one and three-fourths (1¾) mills; for Court expenses, one and one-half (1½) mills; for poor house and poor, one-half of one (½) mill; for retiring County bonds and interest, three-eighths
Loan authorized.	(⅔) of one mill. And the County Commissioners are hereby authorized to borrow a sum of money not exceeding fifteen thousand dollars, and to pledge the first collection of taxes for ordinary County purposes for the payment of the sum so borrowed and the interest thereon, said money so borrowed to be applied first to the payment of jurors, witnesses and constables and Court expenses, and the balance to general County purposes, and to apply any surplus to the payment of the past indebtedness of said County.
Court expenses.	
Surplus.	
Charleston 1½ mills.	For the County of Charleston, in which it shall be one and one-half (1½) mills. That the proceeds of one-eighth of one mill of said levy shall be set apart and applied to the use of the militia in said County, in accordance with the special Act thereto relating. That the remainder of said levy shall be applied as follows: The sum of five thousand dollars is hereby ap-
Militia.	
Stone roadway.	propriated to meet the cost of continuing the construction of the stone roadway leading from the city of Charleston towards the County line, such sum to be expended entirely and directly in such work and repairs on said road, and not in the payment of salaries of any officials connected with such road. And the
General County purposes.	remainder of the proceeds of said levy shall be used for general County purposes, including therein Court and jail expenses,
Superintendent of Highways.	also seventy-five dollars to the Superintendent of Highways at McClellanville to pay his salary for the year 1892, and the cost of necessary repairs to roads and bridges; also the sum of twelve
Interest on bonds.	thousand and four hundred dollars to pay the interest to mature during the fiscal year commencing November the 1st, 1891,
Payment of bonds.	on the six per cent. bonds issued by said County, and also the instalment of the principal of said bonds which will mature
Liquor license fund.	during said year. That out of the proceeds of the liquor license fund there shall be paid the amount of the instalment of the County bonds which mature in the year 1892, with interest thereon, and also such sums as may be necessary to pay in full whatever balance may remain due and unpaid on the notes of the County Treasurer given by him under authority of law, or
Deficiency.	any deficiency caused by the payment of such notes out of any
Special registra- tion expenses.	other funds; the sum of four hundred and eighty-two 70-100

dollars to pay the amount due Geo. W. Williams, Bernard O'Neill and Jacob Small the one-half of the costs of registration expenses incurred by them acting as commissioners in the year 1891; the sum of two hundred dollars to Robert C. Gilchrist for services rendered to the Board of Registration Commissioners, and the sum of one hundred dollars to Robert B. Gilchrist for services rendered by him to said Commissioners, after which may be paid out of said proceeds the amount hereinbefore appropriated for continuing the construction of the stone roadway, and the deficiencies for the past fiscal year, amounting to twenty-six hundred and fifty-two dollars, and, next, nine hundred dollars for the court house stairway. The balance of the liquor license fund shall be held by the County Treasurer and paid out by him proportionately towards salaries due by the said County for the fiscal year 1891-92 in the manner hereinafter provided and without preference. That all other funds and balances in the hands of, or to the credit of, the County Commissioners not otherwise appropriated, or herein appropriated and not required, are hereby appropriated to general County purposes. That the city treasurer of the city of Charleston shall levy and collect, when the first instalment of the city tax is paid, in addition to the one mill tax now provided by law, an additional tax of one-half of one mill, to be accounted for and paid over by the said city treasurer as the said one mill tax is now accounted for and paid, and the proceeds thereof to be used in support of the public schools of said city. That the sum of five hundred dollars of the public school fund appropriated to the support of the public schools in the city of Charleston shall be used in aid of the Art School in the city of Charleston, in consideration that the instructor of such school shall give to the pupils of the city public schools such instruction in drawing as the Board of Commissioners of the public schools of the city of Charleston may require. That the County treasurer of Charleston County be, and he is hereby, authorized and directed to borrow, from time to time, and as the same may be required, on his official note as County Treasurer, or other similar official evidences of indebtedness, a sum or sums not exceeding in all thirty-two thousand dollars, at a rate of interest not exceeding seven per cent. per annum, for the purpose of paying the salaries and commissions of all County officials whose salaries and commissions are fixed by law; also to pay the Court expenses; also to pay the instalment and interest on the County debt to mature

A. D. 1891.

Continuation
of stone road-
way.

Salaries.

Balances to
County purposes.Tax by City
Treasurer for
schools.

Art School.

Loans
authorized.
Limit and
purposes.

- A. D. 1891.** in 1892, should there be any deficiency therein after the payment herein above directed from the liquor license fund, and also such expenditures for ordinary County purposes as require immediate payment: said sum so borrowed to be repaid with interest thereon by the said County Treasurer from the taxes levied upon and to be collected in the said County for the present fiscal year, as soon as the same may be collected, and to constitute a valid claim against said County and a prior lien on all of the County taxes levied, except the school tax and the tax for the use of the militia in the said County for the present and future fiscal years until the same are paid and discharged in full: such amounts, if so borrowed, to be paid on such salaries and claims without any preference whatsoever. That all claims against the County, except the salaries and commissions of County officers whose salaries and commissions are fixed by law, and the County Treasurer's notes herein above provided for, shall be paid upon the warrants of the County Commissioners, as now provided by law, the salaries and commissions of such officers whose salaries and commissions are fixed by law to be paid by the County Treasurer monthly, on the receipt of such officers, and said County Commissioners are hereby required to audit all claims, except such salaries and Treasurer's notes, presented to them, within ten days from the date of such presentation, and forthwith to draw their warrant on the County Treasurer for the amount so found due: *Provided*, The money to meet the same is in the hands of the County Treasurer.
- Pledge of taxes.**
- Exceptions.**
- How payments are to be made.**
- Warrants.**
- Proviso.**
- Audit of claims.**
- Chester** $7\frac{1}{4}$ mills. For the County of Chester, for ordinary County purposes, four and one-half ($4\frac{1}{2}$) mills; for retiring and paying the interest on County bonds, two and three-fourths ($2\frac{3}{4}$) mills.
- Chesterfield** $7\frac{1}{2}$ mills. For the County of Chesterfield, for ordinary purposes, five (5) mills; for interest on railroad bonds, three-eighths ($\frac{3}{8}$) of one mill; for building of new jail, two (2) mills.
- Clarendon** $2\frac{1}{4}$ mills. For the County of Clarendon, for ordinary purposes, two and three-fourths ($2\frac{3}{4}$) mills, to be distributed as follows: For Auditor, Treasurer's commissions, Clerk of Court, Jury Commissioners, Board of Equalization, one thousand five hundred dollars; for Sheriff, one thousand dollars; for Trial Justices and their Constables, twelve hundred and fifty dollars; for the County Commissioners and their clerk, eight hundred and fifty dollars; for poor house, five hundred dollars; for books and stationery and printing, one hundred and fifty dollars; for repairs of bridges, six hundred dollars; for jurors, witnesses and Consta-
- Appropriation.**

bles, twelve hundred dollars; to repair Mount Hope causeway, A. D. 1891.
 one hundred and fifty dollars.

For the County of Colleton, for ordinary County purposes, Colleton
3¼ mills.
 two and one-fourth (2¼) mills; for poor, one-fourth (¼) of one mill; for roads and bridges, one-half (½) of one mill; for interest on County railroad bonds, three-fourths (¾) of one mill, the surplus if any to be applied to sinking fund provided for by Act of the General Assembly, for redemption of County railroad bonds: *Provided*, That all sums derived from liquor licenses be applied as follows: one-fourth to the payment, first to deficiencies on roads and bridges, second for past indebtedness, to pay the claim of W. B. Gruber, and surplus, if any, to be applied to ordinary County purposes; one-half of said liquor license to the payment of dieting prisoners, for pay of jurors and Constables in attendance at Court, and for the payment of Sheriff and the Clerk of Court, if so much be necessary, surplus, if any, to be applied to ordinary County purposes; the remaining one-fourth of said liquor license to be applied to the building of a bridge across Willow Swamp at Broxson's ford, not to exceed two hundred dollars, if so much be necessary; surplus to build or purchase a poor house and for support of same; and the County Commissioners of the said County are hereby authorized and empowered to borrow such amounts of money as may be necessary to pay at maturity the interest on said County railroad bonds as it becomes due: *Provided*, That no greater rate of interest than seven per cent. shall be paid, and the said County Commissioners are hereby instructed to give public notice of the time when and where such interest will be paid. Liquor license fund.

Loans authorized.

Rate of interest.

For the County of Darlington, for ordinary County purposes, Darlington
3¼ mills.
 three and one-half (3½) mills; and for jail debt, one-fourth (¼) of one mill, and the County Commissioners of Darlington County are hereby authorized and empowered to borrow money at a rate of interest allowed by law, to an amount not exceeding the total taxes assessed in said County for County purposes and pledge the taxes of said County for such money as may be borrowed by them from time to time for the actual needs of said County. Loans authorized—Limit.

For the County of Edgefield, for ordinary County purposes, Edgefield
3 10-16 mills.
 two and one-sixteenth (2 1-16) mills; for the paying of jurors and witnesses, and Constable certificates, nine-sixteenths (9-16) of one mill; for repairing and building bridges, one (1) mill; and the County Commissioners of Edgefield County are hereby authorized and empowered to borrow money at rate of interest Loans authorized.

A. D. 1891.
 Pledge of taxes. allowed by law, to the extent of the total taxes assessed in said County for all purposes; and to pledge the taxes of said County for such moneys as from time to time may be borrowed by them for the actual needs of said County.

Fairfield
 3 5-6 mills. For the County of Fairfield, for ordinary County purposes, three and one-half ($3\frac{1}{2}$) mills; and one-third of one mill for past indebtedness; and the County Commissioners are hereby

Loans authorized. authorized and required to borrow money upon such terms and at such rate of interest as may seem to them reasonable, for the purpose of paying in cash the jail fees of the Sheriff and the Court expenses of the County for the fiscal year 1891, and also

Deficiency. any deficiency there may be for the fiscal year 1890. And that the County Treasurer is hereby authorized and required to transfer any unexpended balances now in his hands, or hereafter to be collected on special levies, prior to the last made in 1890, to miscellaneous fund for the fiscal year 1891.

Florence
 $3\frac{1}{2}$ mills. For the County of Florence, for ordinary and general County purposes, three and one-half ($3\frac{1}{2}$) mills; and that the County

Loans authorized—Limit. Commissioners of said County are hereby authorized to borrow money for the purpose of paying jurors and witness fees, to an amount not exceeding two thousand (2,000) dollars, if so much

Pledge of taxes. be necessary; and to pledge so much of the above levy as may be necessary for the payment of same.

Georgetown
 $5\frac{1}{2}$ mills. For the County of Georgetown, for all County purposes, five and one-half ($5\frac{1}{2}$) mills; and for the purpose of erecting and maintaining a fence for stock law exemption between Black Mingo Creek and Pee Dee River, along the line between the Counties of Georgetown and Williamsburg, there shall be levied and collected a tax of twenty mills upon the assessed value of all the

Stock tax. cattle, hogs, sheep, dogs and goats within all that section of Georgetown County bounded as follows: On the West by the County of Williamsburg, on the South by Black Mingo Creek and Black River, and on all other sides by the Great Pee Dee River.

Greenville
 7 mills. For the County of Greenville, for ordinary County purposes, three (3) mills; for past indebtedness, three-fourths ($\frac{3}{4}$) of one mill; for retiring Atlanta and Richmond Air Line Railroad bonds, one (1) mill; for interest on the Atlanta and Richmond Air Line Railroad bonds, one and one-half ($1\frac{1}{2}$) mills; for interest on Greenville and Laurens Railroad bonds, three-fourths ($\frac{3}{4}$) of one mill.

Hampton
 $6\frac{1}{2}$ mills. For the County of Hampton, for ordinary County purposes, five mills; and for past indebtedness, one and one-half ($1\frac{1}{2}$)

mills: *Provided*, That any balance in the County treasury arising from any tax levied for the present fiscal year not specifically appropriated shall be applied to the next fiscal year to paying certificates of jurors, witnesses and of such Constables as may be in attendance on the Courts of General Sessions and Common Pleas. A. D. 1891.
Appropriation
of balances.

For the County of Horry, for ordinary County purposes, two and three-fifths (2 $\frac{3}{5}$) mills; for poor of County, four-fifths ($\frac{4}{5}$) of one mill; for roads and bridges, one-fifth ($\frac{1}{5}$) of one mill; for books, printing, &c., one-tenth ($\frac{1}{10}$) of one mill. Horry
3 $\frac{7}{10}$ mills.

For the County of Kershaw, for ordinary County purposes, three (3) mills; for interest on railroad bonds, two and five-tenths (2 $\frac{5}{10}$) mills. Kershaw
5 $\frac{1}{2}$ mills.

For the County of Laurens, for ordinary County purposes, two and one-half (2 $\frac{1}{2}$) mills; for railroad tax, three and one-half (3 $\frac{1}{2}$) mills. Laurens 6 mills.

For the County of Lexington, for ordinary County purposes, three (3) mills; for past indebtedness, one-half ($\frac{1}{2}$) of one mill; and there shall be a levy of one (1) mill in the townships of Broad River and Fork, and a levy of one and one-half (1 $\frac{1}{2}$) mills in Saluda Township, to pay interest on the bonds issued in aid of the Columbia, Newberry and Laurens Railroad: *Provided*, That in anticipation of the collection of said tax the County Commissioners be, and they are hereby, authorized and empowered to borrow, on the credit of the County and upon the pledge of taxes first collected, and turn over to the County Treasurer, the sum of six thousand dollars (\$6,000), if so much be necessary, for the current expenses of the County for the fiscal year ending October 31st, 1892, at a rate of interest not exceeding seven (7) per cent. per annum: *And provided, further*, That the County Treasurer and County School Commissioner of Lexington County, be, and they are hereby, authorized to borrow from time to time during the fiscal year such sums of money as may be necessary to pay the school claims of said County, and to pledge the taxes to be collected for that purpose for the payment of the money so borrowed and the interest thereon: *Provided*, That the aggregate sum so borrowed shall not exceed the sum of seven thousand dollars, at a rate of interest not to exceed 7 per cent. per annum: *And provided, further*, That the money so borrowed shall be held and paid out by the County Treasurer as now provided by law. Lexington
3 $\frac{1}{2}$ mills.
Special town-
ship tax.
Loans
authorized.
Pledge of taxes.

For the County of Lancaster, for the purchase and improvement of a poor house and farm and for the maintenance of the County Treas-
urer and County
School Commis-
sioner to borrow.
Pledge of taxes.
Purpose.
Limit.
Payments.

For the County of Lancaster, for the purchase and improvement of a poor house and farm and for the maintenance of the Lancaster
6 $\frac{1}{2}$ mills.

- A. D. 1891.** poor of the County, one (1) mill; for the ordinary expenses of the County, except the above, three (3) mills; for interest on County railroad bonds, two and one-half (2½) mills: *Provided*, That any balance that may remain of the funds arising from the foregoing levies after the payment of all claims against the same may be applied by the County Commissioners of Lancaster County to any other claim against said County. The County Commissioners of Lancaster County are hereby authorized and required to levy a special tax of five mills in Pleasant Hill Township, in the County of Lancaster, to meet the interest on the bonds issued by said township in aid of the Charleston, Cincinnati and Chicago Railroad Company; and the said County Commissioners are hereby further authorized to borrow a sum of money sufficient to pay the interest on said bonds promptly at maturity, at a rate of interest not to exceed eight per cent. per annum, and to pledge the said special levy of five mills for the payment of the money so borrowed, provided they shall find it necessary to borrow money to pay said interest promptly at maturity.
- Appropriation of balances.**
- Pleasant Hill Township tax.**
- Loan authorized.**
- Rate of interest.**
- Pledge of taxes.**
- Proviso.**
- Marion 4½ mills.** For the County of Marion, for ordinary County purposes, three (3) mills; for past indebtedness, one and one-fourth (1¼) mills; for bridge work, one-fourth (¼) of one mill: *Provided*, That any surplus in the hands of the County Treasurer arising from money or funds paid in lieu of working roads or from any special levy may be used for County ordinary expenses: *Provided, further*, That the County Commissioners of Marion County be, and they are hereby, authorized and empowered to borrow money at any rate of interest allowed by law to the extent of two-thirds (⅔) of total taxes assessed against said County for County purposes, and to pledge the taxes of said County for such moneys as from time to time may be borrowed for actual need of said County, net cash being paid for.
- Appropriation of balances.**
- Loan authorized.**
- Pledge of taxes.**
- Marlboro 5 mills.** For the County of Marlboro, for ordinary County purposes, three (3) mills; for deficiencies in past fiscal years, two (2) mills, to be paid in the order of their priority only, that is to say: the oldest claim due by the County to be paid first, and in the same order until all are paid.
- Newberry 2½ mills.** For the County of Newberry, for ordinary County purposes, two and one-half (2½) mills.
- Orangeburg 2¾ mills.** For the County of Orangeburg, for ordinary County purposes, two and three-fourths (2¾) mills.
- Oconee 3¾ mills.** For the County of Oconee, for ordinary County purposes,

three (3) mills; for Court expenses 1893, three-fourths ($\frac{3}{4}$) of one mill. A. D. 1891.

For the County of Pickens, for ordinary County purposes, Pickens $10\frac{1}{2}$ mills.
 three (3) mills; for past indebtedness, four ($\frac{4}{4}$) mills; for railroad tax, three (3) mills; for court house bonds, one-half ($\frac{1}{2}$) of one mill; and the County Commissioners of Pickens County are also authorized to use the remainder of the tax assessed for Appropriation of balances.
 railroad purposes for said County, after paying interest on the railroad bonds, for the purpose of building and repairing bridges, the same to be placed back to credit of railroad tax after tax assessed for bridges is collected.

For the County of Richland, for ordinary County purposes, Richland $3\frac{1}{4}$ mills.
 two and one-quarter ($2\frac{1}{4}$) mills; for improvements and repairs on the court house and other public buildings, one-fourth ($\frac{1}{4}$) of one mill; if so much be necessary; for the payment of jurors', witnesses' and constables' tickets for the fiscal year commencing November 1, 1892, three-fourths ($\frac{3}{4}$) of one mill; and in addition thereto there shall be levied a tax of two and one-half mills in the school district of Columbia in lieu of any special Columbia School District tax.
 tax authorized to be levied by "An Act to provide for establishment of a new school district in Richland County and to authorize the levy and collection of a local tax therein, approved December 24, 1884." And also an additional tax of three-fourths ($\frac{3}{4}$) of one mill in Columbia Township for railroad Columbia township tax.
 purposes, and also an additional tax of one fourth ($\frac{1}{4}$) of one mill for a sinking fund for the purpose of retiring railroad bonds: *Provided*, That the County Commissioners shall not pay 17 Stat., 404.
 above par for said bonds. Proviso.

For the County of Spartanburg, for ordinary County purposes, Spartanburg $7\frac{3}{4}$ mills.
 three (3) mills; for interest on railroad bonds, two and one-fourth ($2\frac{1}{4}$) mills; for sinking fund, one (1) mill; for new court house, one and one-half ($1\frac{1}{2}$) mills.

For the County of Sumter, for ordinary County purposes, Sumter $3\frac{3}{4}$ mills.
 two and three-fourths ($2\frac{3}{4}$) mills; for building County jail, one (1) mill.

For the County of Union, for ordinary County purposes, Union $10\frac{1}{2}$ mills.
 four and one-half ($4\frac{1}{2}$) mills; for past indebtedness, one (1) mill; for interest on railroad bonds, three and one-half ($3\frac{1}{2}$) mills; for retiring railroad bonds, one and one-half ($1\frac{1}{2}$) mills; and the County Commissioners of Union County are authorized, in Loans authorized.
 anticipation of the collection of the tax for interest on railroad bonds and for ordinary County purposes, to borrow a sum of money equal to the amount of the levies for said purposes

- A. D. 1891. and to pledge the same for the amount so borrowed: *Provided*,
 Rate of interest. No more than seven (7) per cent. per annum shall be paid as
 interest upon any amount borrowed.
- Williamsburg 4 mills. For the County of Williamsburg, for ordinary County pur-
 Loans authorized. poses, four (4) mills; and the County Commissioners of
 Williamsburg County are hereby authorized to borrow two
 thousand dollars for the purpose of paying jurors, witnesses
 and constables for the Courts of General Sessions and Common
 Pledge of taxes. Pleas of the fiscal year 1891-92, and to pledge therefor the
 levy made for ordinary County purposes, and to pay a rate of
 Rate of interest. interest not exceeding seven (7) per cent. per annum on such
 loans; and the said Commissioners are further authorized to
 draw from the treasury of said County, and to apply to such
 claims as they deem necessary for the current year, the sum of
 three hundred and seventy-five (375) dollars left over from the
 fund for past indebtedness.
- York $3\frac{1}{4}$ mills. For the County of York, for ordinary County purposes, two
 and one-fourth ($2\frac{1}{4}$) mills; for interest on bonds issued by York
 County in aid of the Chester and Lenoir Narrow Gauge Rail-
 road and for retiring said bonds, one (1) mill; and the County
 Commissioners of York County are hereby authorized and re-
 Special Town- ship taxes. quired to levy a special tax to meet the interest on the bonds
 issued in aid of the Charleston, Cincinnati and Chicago Rail-
 road Company in the following townships, to wit: In Catawba
 Township, three and one-half ($3\frac{1}{2}$) mills; in Cherokee Town-
 ship, two and one fourth ($2\frac{1}{4}$) mills; in Ebenezer Township, two
 and one-half ($2\frac{1}{2}$) mills; in York Township, four (4) mills on
 the dollar of the value of all the property in said townships.
 Loans author- And the County Commissioners are hereby further authorized
 ized. and directed to borrow a sufficient sum of money to meet said
 interest promptly at maturity, at a rate of interest not to ex-
 ceed eight (8) per cent. per annum, and to pledge the said spe-
 cial levies levied in said townships for the payment of the
 money so borrowed: *Provided*, They shall find it necessary to
 borrow money to meet said interest.
- Proviso. SEC. 3. That the board of directors of the State Penitentiary
 Profits of Peni- tentiary to be
 paid into State Treasury. are hereby directed to pay into the treasury of the State at the
 end of each month, or within five days thereafter, all amounts
 received by them from the hire of convicts and from other
 sources, after first paying the necessary expenses of the said insti-
 tution and all other disbursements authorized by law; the said
 amounts so paid into the treasury to be held subject to warrants
 of the Comptroller General to pay amounts appropriated by the

General Assembly in the same manner as other funds in the treasury. And the Board of Directors are hereby instructed, as far as practicable, in hiring out or working convicts, to hire or work the same on farms in healthy locations and which are exempt from danger of overflow.

SEC. 4. That all the proceeds of the taxes levied for and on account of the State, as specified herein, shall be deposited and kept by the State Treasurer in such bank or banks, or places of special deposit, as in the judgment or discretion of the Governor, the Comptroller General, and the State Treasurer, or any two of them, shall afford sufficient protection to the interests of the State.

SEC. 5. That the County Auditors and County Treasurers of the several Counties of this State are hereby required, under the direction and supervision of the Comptroller General, to make collection of the taxes levied under and pursuant to the provisions of this Act in the manner and at the time and under the conditions hereinafter provided, and they are hereby forbidden to collect any other tax whatsoever levied for the fiscal year unless herein expressly authorized so to do, except the taxes authorized by law to meet the interest and retire the bonds issued by Counties and townships in aid of railroads or taxes voted by towns or Counties, or assessed upon townships as subscriptions to railroads, and taxes to build fences under statutes authorizing and directing the same, and except, also, the special school tax authorized to be levied in any school district of the State, and except such special tax or collection as is authorized by any Act or Joint Resolution of the General Assembly. And the County Treasurers of the several Counties of this State are hereby prohibited from collecting any tax except such as have been first entered on the tax duplicates of their respective Counties, or upon the orders of the Auditors of said Counties: *Provided*, That said County Treasurers shall furnish the County Auditor of their respective Counties with the names of all taxpayers as may apply to pay their taxes against whom no taxes shall have been entered on the tax duplicates. And any State or County officer who shall fail to comply with, or shall evade or attempt to evade, the provisions of this Act, shall be deemed guilty of a felony, and upon conviction thereof shall be punished by fine not to exceed five thousand dollars, or imprisonment for a period of not more than five years, or both, in the discretion of the Court.

A. D. 1891.

Location of convicts.

Deposit of State moneys.

Auditors and Treasurers to collect taxes.

No other tax to be collected except, &c.

All taxes to be on duplicate.

List of taxpayers not on duplicate.

Penalties for violations of this Act.

- A. D. 1891.
 Poll tax. SEC. 6. That there shall be assessed upon all taxable polls in this State a tax of one dollar on each poll, the proceeds of which tax shall be applied solely to educational purposes. Every male citizen between the ages of twenty-one and fifty years, except those incapable of earning a support from being maimed, or from other causes, and except those who are now exempt by law, shall be deemed taxable polls; and should any person fail or refuse to pay said poll tax, he shall be deemed guilty of a misdemeanor, and on conviction of the same before any Trial Justice or other Court having jurisdiction thereof, shall be punished by a fine, which shall not exceed ten dollars, together with the cost of said suit, or by imprisonment in the County jail for a term not exceeding thirty days.
- Penalty for non-payment. SEC. 7. That all taxes assessed and payable under this Act shall be paid in the following kinds of funds, and no other: gold and silver coin, United States currency, national bank notes, and coupons which shall become payable during the year 1892 on the consolidated bonds of this State known as "Brown Bonds," and the bonds of this State known as "Blue Bonds," and on any other State bonds which may be issued by authority of any Act of the General Assembly, the coupons of which are by such Act made receivable for taxes: *Provided, however,* That
- In what funds payable. jury certificates and the per diem of State witnesses in the Circuit Court shall be receivable for County taxes, not including school taxes.
- Jury and witness certificates. SEC. 8. That all taxes herein assessed shall be due and payable from the fifteenth day of October to the fifteenth day of December, 1892, and the several County Treasurers shall collect the same in the manner prescribed by law, and give receipts therefor to the several parties paying the same, in which the real estate paid on shall be briefly described, and the value of the personal property paid on shall be stated, together with the time such taxes are paid and the amount of the same.
- When payable. Receipts. SEC. 9. That the County Treasurers, immediately upon the receipt of the tax duplicate for the year from the County Auditors, shall cause a notice to be inserted twice in one daily newspaper published at the County seat of their County, and if no daily paper be published at such County seat, then in one weekly paper published in such County seat; and if no paper be published in the County, then such notice shall be given in such manner as the County Treasurer may direct, stating the rate per centum of the levy for State purposes and the rate per centum for all other purposes on the duplicate for the present fiscal
- Notice to be given by County Treasurer.

year ; and if any special levies have been made on the property of a school or other district not affecting an entire County, the total rate of levies in such districts shall be also stated in such notice.

A. D. 1891.

SEC. 10. That when the taxes and assessments, or any portion thereof, charged against any property or party on the duplicate for the present fiscal year shall not be paid on or before the fifteenth day of December, 1892, the County Treasurer shall proceed to collect the same, together with the penalty of fifteen per centum on the amount so delinquent ; and if the amount of such delinquent taxes, assessments and penalties shall not be paid on or before the second day of January, 1893, or collected by distress or otherwise, then the same shall be treated as delinquent taxes on such real and personal property, and shall be collected by sale of such real and personal property according to law.

Collection from delinquents

Sale of property.

SEC. 11. That all personal property subject to taxation shall be liable to distress and sale for the payment of taxes and assessments as provided by law.

Personal property delinquent.

SEC. 12. That all real property returned delinquent by the County Treasurer upon which the taxes shall not be paid by distress and sale of personal property or otherwise shall be seized and sold as provided by law.

Real property delinquent.

SEC. 13. That the County Commissioners in each of the several Counties of this State shall levy a tax of two mills on the dollar upon all taxable property of their respective Counties for the support of public schools in their respective Counties, which shall be collected at the same time and by the same officers as the other taxes for this year, and shall be held in the County treasuries of the respective Counties, and paid out exclusively for the support of public schools as provided by law.

School tax.

SEC. 14. That all personal property used in connection with mines and mining claims, and all lands not actually mined connected with mines and mining claims, shall be assessed for taxation and be taxed as is done in the case of other personal and real estate. That in all cases where land is actually mined, such land shall not be assessed for taxation or taxed, but in lieu therefor the gross proceeds alone of such mines and mining claims shall be assessed and taxed, and such gross proceeds shall be ascertained and determined by the cash market value of the material mined.

Mines and mining claims.

SEC. 15. That in anticipation of the collection of the taxes hereinbefore levied, the Governor and the State Treasurer be,

Governor and Treasurer may borrow.

A. D. 1891. and they are hereby, empowered to borrow on the credit of the State so much money as may be needed to meet promptly at maturity the interest which shall mature during the year 1892 on the valid debt of the State, and to pay the current expenses of the State Government for the present fiscal year: *Provided*,
 Limit. That the sum so borrowed shall in no event exceed the amount of three hundred thousand (\$300,000) dollars.
 When to take effect. SEC. 16. That this Act shall take effect from and immediately after its approval.

Approved December 24th, A. D. 1891.

No. 697. AN ACT TO PROHIBIT EMIGRANT AGENTS FROM PLYING THEIR VOCATION IN THIS STATE WITHOUT FIRST OBTAINING A LICENSE THEREFOR AND FOR OTHER PURPOSES.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the approval of this Act no person shall carry on the business of an emigrant agent in this State without having first obtained a license therefor from the State Treasurer.

Definition of term. SEC. 2. That the term "emigrant agent," as contemplated in this Act, shall be construed to mean any person engaged in hiring laborers or soliciting emigrants in this State to be employed beyond the limits of the same.

License fee for each County. SEC. 3. That any person shall be entitled to a license, which shall be good for one year upon payment into the State Treasury for the use of the State of one thousand dollars in each County in which he operates or solicits emigrants, for each year so engaged.

Acting without license a misdemeanor. SEC. 4, That any person doing the business of an emigrant agent without having first obtained such license shall be guilty of a misdemeanor, and upon conviction shall be punished by fine, not less than five hundred dollars and not more than five thousand dollars, or may be imprisoned in the County jail not less than four months, or confined in the State prison at hard labor not exceeding two years, for each and every offence, within the discretion of the Court.

Punishment.

Approved December 24th, A. D. 1891.

AN ACT TO REQUIRE ALL RAILROAD COMPANIES OPERATING
RAILROADS IN THIS STATE ON WHICH PASSENGER COACHES ARE
RUN, TO PROVIDE TWO WATER CLOSETS IN EACH PASSENGER
COACH PLAINLY MARKED, ONE "EXCLUSIVELY FOR FEMALES,"
THE OTHER "EXCLUSIVELY FOR MALES."

A. D. 1891.

No. 698.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all Railroad Companies operating railroads in this State over which passenger coaches are run shall provide two water closets in each passenger coach so run, one plainly marked, "Exclusively for Females," and the other to be plainly marked, "Exclusively for Males": *Provided*, This Section shall not apply to second class coaches; and provided further, that not more than two water closets shall be required in any coach divided by a partition.

Two water closets in every coach.

How marked.

Exceptions.

SEC. 2. That this Act shall take effect sixty days after its passage.

When to take effect.

SEC. 3. That for every violation of Section 1 of this Act the company so violating shall forfeit and pay a penalty of one hundred dollars at the suit of the Railroad Commissioners.

Penalty.

Approved December 24th, A. D. 1891.

AN ACT TO MAKE APPROPRIATIONS TO MEET THE ORDINARY EXPENSES OF THE STATE GOVERNMENT FOR THE FISCAL YEAR COMMENCING NOVEMBER 1ST, 1891.

No. 699.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the ordinary expenses of the State government for the fiscal year commencing November 1st, 1891:

General appropriation clause.

EXECUTIVE DEPARTMENT.

SEC. 2. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the Executive Department, as follows:

Executive Department.

A. D. 1891.
 Governor's
 Department.

2. For the salary of the Governor, thirty-five hundred dollars; for the salary of the Governor's Private Secretary, fifteen hundred dollars; for the salary of the Governor's Messenger, four hundred dollars; for the contingent fund of the Governor, for rewards and other purposes, five thousand dollars; for stationery and stamps for the Governor, two hundred and fifty dollars.

Secretary of
 State's Depart-
 ment.

3. For the salary of the Secretary of State, twenty-one hundred dollars; for the salary of the Clerk of the Secretary of State, fifteen hundred dollars; for the contingent fund of the Secretary of State, one hundred and seventy-five dollars; for stationery and stamps for the Secretary of State, two hundred and twenty-five dollars.

Comptroller
 General's Depart-
 ment.

4. For the salary of the Comptroller General, twenty-one hundred dollars; for the salary of the Chief Clerk of the Comptroller General, fifteen hundred dollars; for the salary of the Bookkeeper of the Comptroller General, fifteen hundred dollars; for the contingent fund of the Comptroller General, two hundred dollars; for stationery and stamps for the Comptroller General, two hundred and fifty dollars; for printing for the Comptroller General, two hundred dollars; for the use of the Comptroller General in examining the books and papers and accounts pertaining to the offices of the Auditors and Treasurers of the respective Counties, as required in Section 224 of the General Statutes, five hundred dollars, if so much be necessary, to be paid upon the warrant of the Comptroller General, who shall file as vouchers itemized statements of the actual expenses incurred in each inspection, sworn to by the person making the inspection; for removing and arranging the books belonging to the Comptroller General's office from the State Library, two hundred dollars.

Vouchers of
 inspection ex-
 penses.

State Treasur-
 er's Department.

5. For the salary of the State Treasurer, twenty-one hundred dollars; for the salary of the Chief Clerk of the State Treasurer, fifteen hundred dollars; for the salary of the Bookkeeper (*Loan Department*) of the State Treasurer, fifteen hundred dollars; for the salary of the General Bookkeeper of the State Treasurer, fifteen hundred dollars; for the contingent fund of the State Treasurer, two hundred dollars; for stationery and stamps for the State Treasurer, two hundred dollars.

State Superin-
 tendent of Edu-
 cation's Depart-
 ment.

6. For the salary of the State Superintendent of Education, twenty-one hundred dollars; for the salary of the Clerk of the State Superintendent of Education, twelve hundred dollars; for the contingent fund of the State Superintendent of Education,

fifty dollars; for stationery and stamps for the State Superintendent of Education, one hundred and fifty dollars; for printing books and blank forms for the use of the public schools, six hundred dollars; for the travelling expenses of the State Superintendent of Education and the State Board of Examiners and board of the members of said Examining Board, three hundred dollars, if so much be necessary: *Provided*, That an itemized statement of such expenses be kept by the State Superintendent of Education and reported by him to the next General Assembly; for printing in pamphlet form the school law of this State, one hundred and fifty dollars.

A. D. 1891.

Travelling expenses.

Itemized statement.

School law.

7. For the salary of the Adjutant and Inspector General, fifteen hundred dollars; for the salary of the Clerk of the Adjutant and Inspector General, twelve hundred dollars; for the salary of the State Armorer, five hundred dollars; for the contingent fund of the Adjutant and Inspector General, one hundred dollars; for stationery and stamps for the Adjutant and Inspector General, one hundred dollars; for collecting arms, freight, advertising, printing, expenses of inspections, purchasing missing parts of arms and ammunition, five hundred dollars, if so much be necessary.

Adjutant and Inspector General's Department.

8. For the purpose of assisting companies to maintain their organizations, ten thousand dollars, to be distributed by the Adjutant and Inspector General in accordance with the provisions of the militia laws of this State, if so much be necessary, to be paid on the order of the Adjutant and Inspector General upon the warrant of the Comptroller General.

Military companies.

9. For the salary of the Attorney General, twenty-one hundred dollars; for the salary of the Assistant Attorney General, fifteen hundred dollars; for the contingent fund of the Attorney General, one hundred dollars; for stationery and stamps for the Attorney General, seventy-five dollars; for the expenses of litigation, fifteen hundred dollars, if so much be necessary; and the Attorney General is hereby authorized and required to conduct all litigation which may be necessary for any of the Departments of the State Government or any of the Boards connected therewith, and all such Departments or Boards are hereby forbidden to employ any counsel for any purpose except through the Attorney General and upon his advice: *Provided*, That this provision shall not apply to suits pending prior to December 22d, 1882: *Provided, further*, That out of the litigation fund the Attorney General shall also pay for dockets and

Attorney General's Department.

Attorney General to conduct litigation for all State officers.

Provisoes.

Dockets and indictments for Solicitors.

A. D. 1891.

blank indictments for the several Circuit Solicitors, and such other expenses incidental to prosecutions as he may deem advisable.

State Librarian.

10. For the salary of the State Librarian, one thousand dollars; for the contingent fund of the State Librarian, one hundred and twenty-five dollars; for stationery and stamps for the State Librarian, two hundred dollars; for purchasing books, four hundred dollars, if so much be necessary.

State House
Keeper and
grounds.

11. For the salary of the State House Keeper, five hundred dollars; for the contingent fund of the State House Keeper for work on State House Grounds, one hundred dollars, if so much be necessary: *Provided*, That the Superintendent of the Penitentiary be required, whenever called on by the State House Keeper, to furnish such convict labor as he may need to keep said grounds in good order.

Convict labor.

Watchmen.

12. For the salary of two Watchmen for the State House and Grounds, eight hundred dollars.

Janitor.

13. For the salary of the Janitor of the State House, one hundred and sixty dollars.

Engineer and
Assistants.

14. For the salary of J. R. Wilkerson, Engineer of the State House heating apparatus, (for seven months during the year) seventy-five dollars per month; for the pay of Henry Smith and D. L. Williamson, Firemen of the State House heating apparatus, (for seven months during the year) twenty-five dollars per month each; and the Engineer be paid twenty-five dollars per month for the balance of the year for keeping in order the engine, boilers, &c.: *Provided*, That he attend to them at least once in every fifteen days; this amount to be in full of all charges for labor.

Proviso.

JUDICIAL DEPARTMENT.

Judicial De-
partment.

SEC. 3. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the Judicial Department, as follows:

Justices of Su-
preme Court.

2. For the salary of the Chief Justice, four thousand dollars; for the salary of the two Associate Justices, seven thousand dollars.

Circuit Judges.

Solicitors.

Stenographers.

3. For the salary of the eight Circuit Judges, twenty-eight thousand dollars; for the salary of the eight Circuit Solicitors, twelve thousand five hundred dollars; for the pay of the stenographers of the Circuit Courts, ten thousand two hundred dollars.

Clerk of Su-
preme Court.

4. For the salary of the Clerk of the Supreme Court, one

thousand dollars; for the salary of the State Reporter, one thousand dollars; for the salary of the Librarian of the Supreme Court, eight hundred dollars; for the Messenger of the Supreme Court, two hundred and fifty dollars; for the contingent fund of the Supreme Court, five hundred dollars; for the purchasing of books for the Supreme Court Library, seven hundred and fifty dollars. •

A. D. 1891.
State Reporter.

Contingent fund.
Books.

5. For purchasing one hundred copies of the 35th volume of the Supreme Court Reports, four hundred and fifty dollars. S. C. Reports.

HEALTH DEPARTMENT.

SEC. 4. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the Health Department, as follows: Health Department.

2. For the salary of the Quarantine Officer of Charleston, eighteen hundred dollars; for the expenses of maintaining Quarantine Station, Charleston Harbor, one thousand dollars. Charleston.

3. For the salary of the Quarantine Officer at St. Helena, eight hundred dollars; for expenses of Quarantine Station at St. Helena, one hundred and fifty dollars. St. Helena.

4. For the salary of the Quarantine Officer at Port Royal, eight hundred dollars; for the expenses of Quarantine Station at Port Royal, three hundred dollars; for the salary of the Keeper of the Hospital Buildings at Port Royal, two hundred dollars. Port Royal.

5. For the salary of the Quarantine Officer at Georgetown, five hundred dollars; for expenses of Quarantine Station at Georgetown, one hundred and fifty dollars. Georgetown.

6. For the salary of the Keeper of the Lazaretto, four hundred dollars. Lazaretto.

7. For the purpose of carrying out the provisions of the Act establishing a State Board of Health, fifteen hundred dollars, if so much be necessary, provided no part of said amount shall be expended for advertising any private institutions or enterprises in their annual reports or elsewhere. State Board of Health. Proviso.

8. For the purpose of carrying out the provisions of an Act for quarantining the State against contagious and infectious disease, three thousand dollars. Contagious diseases.

9. For the cost of publishing tracts to be issued by the State Board of Health relating to contagious and infectious diseases, five hundred dollars: *Provided*, That the said tracts be distributed amongst the School Commissioners of this State, to be by them circulated. Publication of tracts. Proviso.

A. D. 1891.

TAX DEPARTMENT.

Tax depart-
ment.

SEC. 5. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the Tax Department, as follows:

Auditors.

2. For the salaries of the County Auditors, twenty-two thousand nine hundred dollars.

Printing books.

3. For printing books, &c., for the County Auditors and Treasurers, two thousand five hundred dollars.

SOUTH CAROLINA UNIVERSITY.

South Carolina
University.

SEC. 6. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the South Carolina University.

Schools at Col-
lege in Colum-
bia.

2. For the support of the schools in the South Carolina College at Columbia, thirty thousand dollars; for insurance, (3

Insurance and
repairs.

year policy) three thousand dollars; for ordinary repairs, two

General ex-
penses.

thousand dollars; for general expenses, two thousand dollars; for the improvement of buildings, three thousand dollars; for

Librarian.

the Library, one thousand dollars; for the salary of the Librarian, five hundred dollars, to be paid upon the application of the

Clafin College.

Board of Trustees on the warrant of the Comptroller General; for the Clafin College at Orangeburg, to be paid on the application of the Board of Trustees of the South Carolina University on the warrant of the Comptroller General, five thousand dollars.

Citadel
Academy.

3. For the support of the beneficiary cadets at the Citadel Academy, twenty thousand dollars, to be paid on the warrants of the Comptroller General issued upon the requisition of the Chairman of the Board of Visitors of said Academy.

Insurance on
Citadel.

4. For the payment of the insurance on the Citadel buildings, eight hundred dollars, (for three years' policy) if so much be necessary.

Winthrop
Training School.

5. That the sum of five thousand two hundred and fifty dollars, if so much be necessary, be, and the same is hereby, appropriated for the scholarships provided by law for the Winthrop Training School for the scholastic year beginning in September, 1892, and ending in June, 1893.

CLEMSON AGRICULTURAL COLLEGE.

Privilege tax.

SEC. 7. For the maintenance of Clemson Agricultural College, the proceeds of the privilege tax on fertilizers, after paying the expenses of collecting same, already and hereafter to be col-

lected for and during the fiscal year beginning November 1st, 1891, and also the income arising from the devise and bequest of the late Thomas G. Clemson, accepted by the State, be, and the same are hereby, appropriated for the erection and maintenance of the Clemson College, the same to be paid by the State Treasurer to the Treasurer of the Board of Trustees of Clemson College, on the application of said Board of Trustees, on the warrant of the Comptroller General.

A. D. 1891.

Income of
Clemson devise
and bequest.To be paid to
Board of Trus-
tees.

PENAL AND CHARITABLE INSTITUTIONS.

SEC. 8. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the penal and charitable institutions of this State, as follows:

South Carolina Penitentiary.

2. For the salary of the Superintendent of the Penitentiary, two thousand one hundred dollars; for the salary of the Captain of the Guard, twelve hundred dollars; for the salary of the Physician of the Penitentiary, to be appointed by the Superintendent of the Penitentiary, twelve hundred dollars; for the salary of the Chaplain of the Penitentiary, to be appointed by the Superintendent of the Penitentiary, six hundred dollars; for the salary of the Clerk of the Penitentiary, twelve hundred dollars, for which amount the Comptroller General is authorized and directed to issue his warrants, any law to the contrary notwithstanding. That any balance in the hands of the Board of Directors of the South Carolina Penitentiary on October 31, 1891, together with all other amounts received or to be received from the hire of convicts, or from any other source, during the current fiscal year, be, and the same are hereby, appropriated for the support of the Penitentiary and for other purposes hereinafter indicated, and for any purposes required by law which are not herein indicated. For the per diem and mileage of the Directors of the South Carolina Penitentiary, each of whom shall be entitled to receive five dollars per diem for each day of actual attendance on the meetings of said Board, and five cents per mile for the actual distance travelled by the most direct route going to and returning from the home of said Director to the place of meetings of the said Board, and the annual report of the Superintendent of the South Carolina Penitentiary shall contain, in separate account, an itemized statement of the amount expended for account of said per diem

Officers of
Penitentiary.Income of
Penitentiary.Per diem and
mileage of Direc-
tors.Itemized
statement.

A. D. 1891. and mileage showing the amount paid to each Director on each of said accounts, two thousand dollars, if so much be necessary ;
Current expenses and arms. for the current expenses of the Penitentiary, so much as may be necessary ; for the purchase of arms and ammunition, two hundred dollars, if so much be necessary ; for the purchase of
Bibles, etc. Bibles, Testaments, and other religious literature for the use of convicts, forty dollars.

South Carolina Lunatic Asylum.

Superintendent and Regents. 3. For the salary of the Superintendent and Physician of the Lunatic Asylum, three thousand dollars ; for the per diem and mileage of the Board of Regents of the Lunatic Asylum, each of whom shall be entitled to receive five dollars per day for each day actually engaged in attending the meetings of said Board, and mileage of five cents for each mile actually travelled, fifteen hundred dollars, if so much be necessary ; for the current ex-
Current expenses. penses in support of the Lunatic Asylum, ninety thousand dol-
Insurance. lars ; for insurance, three thousand dollars, if so much be neces-
Library. sary ; and for patients' library, one hundred and fifty dollars, to be paid as other appropriations.

The Deaf, Dumb and Blind Asylum.

Cedar Springs Institute. 4. For the support of the Deaf, Dumb and Blind Asylum, fifteen thousand dollars, if so much be necessary ; for insurance, four hundred and twenty-five dollars ; for repairs, five hundred dollars.

Catawba Indians.

Catawba Indians. 5. For the Catawba Indians, eight hundred dollars, to be paid upon the application of the Agent upon the warrant of the
Agent to give bond. Comptroller General : *Provided*, That said Agent, before receiving said warrant, enter into bond in the sum of sixteen hundred dollars, with surety to be approved by the Governor, for the faithful discharge of his duty in the disbursement of any funds which hereafter may come into his hands : *Provided*, That the
Proviso. said fund be distributed among the Catawba Indians living in South Carolina.

MISCELLANEOUS.

Appropriation. SEC. 9. 1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated for miscellaneous expenses, as follows :

2. For the Civil Contingent Fund, five hundred dollars, to be paid on the order of the Governor, upon the warrant of the Comptroller General.

A. D. 1891.
Civil contin-
gent fund.

3. For the purposes of an Act entitled "An Act to provide for the payment of water used in the public institutions of the State located in Columbia," approved February 9th, 1882, one thousand dollars, to be paid on the warrants of the Comptroller General, issued in accordance with the provisions of said Act.

Water in pub-
lic buildings.
17 Stat., 944.

4. To pay the expenses of the Joint Committee of the two Houses appointed to examine the books of the State Treasurer for the fiscal year ending October 31st, 1891, ———— dollars.

Committee to
examine Treas-
urer's books.

5. For defraying the expenses of the continuance of the consolidation of the bonded debt of the State, as provided by law, one thousand dollars, if so much be necessary, the sum to be paid on the application of the State Treasurer, upon the warrant of the Comptroller General.

Consolidation
of bonded debt.

6. To pay the Claims passed by the General Assembly at its regular session of 1891, three thousand dollars, if so much be necessary, to be paid by the State Treasurer upon the warrants of the Comptroller General.

Claims.

7. To pay for the public printing of this fiscal year, twenty thousand dollars, if so much be necessary.

Public printing.

8. For the salaries of the Railroad Commissioners, six thousand three hundred dollars; for the salary of the Clerk of the Railroad Commissioners, twelve hundred dollars; and three hundred and fifty dollars to pay the contingent expenses of the office for the fiscal year commencing November 1st, 1891, if so much be necessary, to be advanced by the State until the same shall have been collected from the railroad companies of this State, in the manner prescribed by law, and when collected the same shall be replaced in the State Treasury.

Railroad
Commission.

9. For the salaries of the Supervisors of Registration, seven thousand two hundred dollars; that is to say, to pay the Supervisor of Registration for each County in the State, except Charleston County, the sum of two hundred dollars for the services to be rendered during the fiscal year commencing November 1st, 1891; and to the Supervisor of Registration for Charleston County the sum of four hundred dollars, for services to be rendered during the same period; said amounts to be paid one-half on the 1st day of June, 1892, and the remaining one-half on the 1st day of November, 1892, out of any money in the treasury not otherwise appropriated.

Supervisors of
Registration.

- A. D. 1891.**
Transportation of convicts. 10. For the transportation of convicts to the Penitentiary from the several Counties of this State, three thousand dollars, if so much be necessary, to be paid on the application of the Superintendent of the Penitentiary, approved by the Board of Directors, upon the warrants of the Comptroller General.
- Governor's Mansion.** 11. For repairs and improvements to the Governor's mansion, and for insurance and lighting, five hundred dollars, if so much be necessary, to be paid on the order of the Governor, upon the warrant of the Comptroller General.
- Lighting the State House.** 12. For paying for lighting the State House and grounds, thirteen hundred dollars, if so much be necessary.
- Fuel.** 13. To pay for fuel for the purpose of heating the State House, nine hundred dollars, if so much be necessary.
- Pensioners.** 14. For the purposes of an Act entitled "An Act to provide for the relief of certain soldiers, sailors, and widows of soldiers or sailors, of the late war between the States," approved December 24th, A. D. 1887, or Acts amendatory thereto, and clerical expenses incident thereto not to exceed four hundred dollars, and one hundred and twenty dollars additional for necessary stationery and postage expenses incident thereto, fifty thousand dollars, if so much be necessary, said appropriation, except as to clerical expenses, to be paid at such time during the current fiscal year as may be designated by the State Board of Pensioners: *Provided*, That the Pension Board shall, before paying out any of the amount hereby appropriated, revise the whole list of pensioners and pay only those found to be in actual need of support whose names are now on the list or may hereafter be put thereon: *Provided, further*, That the Governor be, and he is hereby, authorized to borrow from time to time such amounts as may be necessary to meet this appropriation: *Provided, further*, That the Comptroller General is authorized to issue his warrant to the Clerks of Court of the several Counties for such amounts as may be determined as belonging to the pensioners of such County, to be by him disbursed according to law.
- Revision of lists.**
- Loan.**
- Warrants to County Clerks.**
- Index Clerk.** 15. To pay the salary of the Index Clerk in the Secretary of State's office, twelve hundred dollars, to be paid as provided in Joint Resolution to provide for the indexing of all records in the office of Secretary of State approved December 23, A. D. 1889.
- Artic 294.**
- Engraving bonds.** 16. For engraving, alteration and furnishing four and one-half per cent. bonds and coupons necessary in the transfer of the office of State Treasurer, eight hundred and fifty 25-100

dollars, to be paid on the application of the State Treasurer upon the warrant of the Comptroller General. A. D. 1891.

17. For the pay of Messengers of Election, twelve hundred dollars. Messengers of Election.

18. To pay for books, blanks, and stationery for general election, five hundred dollars. To pay for books for general election.

19. To pay for books and certificates of registration, four hundred dollars. To pay for books, &c., of registration.

20. For the pay of Commissioners and Managers of Election, fifteen thousand dollars; to pay for advertising notices of election, two thousand dollars: *Provided*, That all notices of election published in the newspapers throughout the State shall be printed unlead and in type not larger than brevier, and no more shall be charged or paid for any such notices than one dollar per square for first insertion, and fifty cents per square for the second or subsequent insertions. Commissioners and Managers of Election.

21. For the expenses of the Phosphate Commission for 1890-91, two thousand eight hundred and ninety-one 44-100 dollars; and for 1891-92, three thousand dollars, if so much be necessary, to be paid on the warrant of the Comptroller General upon the application of the Phosphate Commission. How printed.

22. For shelving for the State Library and State offices, and for any repairs that may be necessary during the current fiscal year, twelve hundred and sixty-four 51-100 dollars, if so much be necessary, to be paid on the application of the State House Keeper on the warrants of the Comptroller General. For shelving State Library and State offices, and any repairs.

23. To aid the South Carolina Colored Mechanical and Agricultural Association, five hundred dollars. Colored Mech. and Agric. Ass'n.

24. To the Secretary of State upon the warrant of the Comptroller General, the sum of four thousand dollars to provide for securing and preserving documents relating to the history of South Carolina, under the provisions of the Act of the General Assembly, ratified and approved at the present session. For historical documents.

INTEREST ON THE PUBLIC DEBT.

SEC. 10. That the sum of three hundred and eighty-three thousand dollars, if so much be necessary, be, and the same is hereby, appropriated to pay the interest on the valid debt of the State which shall mature and become payable on the first day of January and on the first day of July in the year 1892, and for unpaid interest payable in prior years. Interest on valid debt.

SEC. 11. That the amounts specified in the several preceding Sections of this Act for salaries and clerical services shall be Salaries to be paid monthly.

A. D. 1891.

How paid.

Vouchers to
be filed.

Stamps.

Moneys to be
accounted for by
public officers.No contract to
exceed appropri-
ation.Compensation
not to exceed
salaries as fixed
by law.When to
take effect.Repealing
clause.

paid in monthly instalments, and shall be paid upon the warrants of the Comptroller General, and the amounts specified for contingent funds and stationery, as shall be required, shall be paid upon the warrants of the Comptroller General on the application of the various officers entitled to the same: *Provided*, That the accounts and vouchers upon which said applications are made shall be filed with the Comptroller General before issuing his warrants on the State Treasurer for the same; and that for the amounts required by the various officers for the purchase of stamps the Comptroller General is hereby authorized to issue his warrant to said officer.

SEC. 12. That the moneys hereinbefore set apart to be used as contingent funds and for other purposes by the various officers of the State Government shall be duly accounted for, and such officer shall make a detailed statement of the disposition made thereof to the General Assembly at the next regular session, on or before the first day of December, 1892: *Provided*, That no officer authorized to make contracts or draw funds from said appropriations shall expend or make contracts for expending more than has been specified for any purpose by this Act.

SEC. 13. That in the event that salaries or other compensation for services now provided for by law for officers, clerks, and other persons for which appropriation is herein made shall be fixed by law at other rates than those herein provided for, only so much of the sums hereinbefore appropriated shall be paid as may be necessary to conform to the law applicable to such salaries or compensation.

SEC. 14. That this Act shall take effect from and immediately after its approval.

SEC. 15. That all Acts and Joint Resolutions, or parts of Acts and Joint Resolutions, inconsistent or conflicting with the provisions of this Act be, and the same are hereby, repealed.

Approved December 24th, A. D. 1891.

AN ACT TO PROTECT AND ENCOURAGE THE PLANTING AND CULTIVATION OF SHELL FISH WITHIN THE WATERS OF THIS STATE; FOR THE APPOINTMENT OF A FISH COMMISSIONER; TO AUTHORIZE THE GRANTING OF FRANCHISES FOR THE USE OF CERTAIN LANDS UNDER WATER BELONGING TO THIS STATE AND TO MAKE APPROPRIATION THEREFOR.

A. D. 1891.

No. 700.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State shall exercise exclusive control and jurisdiction over all shell fisheries located in the public waters of this State.

Exclusive control by State.

SEC. 2. The Board of Commissioners of the Sinking Fund, as established by General Statutes, Section 62, and amended by Act of December 22, 1883, shall secure a complete map of lands under the public waters of this State suitable for the planting and cultivation of shell fish, and of lands upon which shell fish are found, known as natural growth lands, to be filed in the office of the Secretary of State, Department of Public Lands, which shall clearly delineate and designate the natural growth lands, separate from other lands suitable for the planting of shell fish. The natural growth shell fish lands shall not be deemed to be included in the lands for which franchises are to be sold under the provisions of this Act. "Natural growth lands" shall be deemed to be lands which have never been planted, and whereon the shell fish are so numerous at the time the survey herein authorized is made that the public actually resort to them for a livelihood. And the Board of Sinking Fund Commissioners shall be the sole judge of the limits of said natural growth lands.

Sinking Fund Commission.
18 Stat., 380.
To procure map.

Where filed.

Natural growth lands.

Limits of such lands.

SEC. 3. The Phosphate Inspector shall discharge the duties of Fish Commissioner under this Act, receiving therefor an annual salary of five hundred dollars to be paid in the same manner as the salaries of other State officers and employees, and he shall be required, under the direction of the Board of Commissioners of the Sinking Fund, to make or secure a complete and accurate map of all lands as provided for in Section 2 of this Act. The said Commissioner, while performing said work, shall be allowed the use of any vessel belonging to the State, when not in use for other purposes; may petition the Government of the United States for assistance, and co-operate with the United States Fish Commissioners who may be investigating and surveying the shell fish lands in this State: he

Phosphate Inspector to be Fish Com'r. His salary.

To secure map.

Use of State vessels.

Co-operate with U. S. Fish Com'r.

A. D. 1891. shall also ascertain the names of all persons now claiming oyster lands, the number of acres claimed by each, where located, and by what right or title said lands under the public waters of this State are claimed or held.

Rules and regulations for issuing franchises. **SEC. 4.** As soon as practicable after the passage of this Act, the Board of Commissioners of the Sinking Fund shall establish such rules and regulations as they may deem necessary for issuing franchises of lands for the purpose of shell fish cultivation, together with forms of application, to be furnished to the Fish Commissioner, who shall receive and forward to the Board of Commissioners of the Sinking Fund all applications with his endorsement thereon; that such application or applications shall be publicly posted in three separate public places in the Counties where said lands are located and in the office of the Clerk of the Court of said County for not less than twenty days before such application can be acted upon. Any person or persons objecting to the granting of grounds applied for may file a written notice with the Fish Commissioner, stating his or her objections. And if it should appear necessary, in order to determine the facts and equity of a case, the Fish Commissioner may cause notice of not less than ten days to be served on all parties concerned to meet on a fixed day at the court house of the County wherein the land is located; shall take the testimony in such case and forward the same to the Board of Sinking Fund Commissioners, with his recommendations thereon.

Perpetual franchises authorized. **SEC. 5.** The Board of Commissioners of the Sinking Fund, when the conditions precedent to the granting of franchises have been complied with, are hereby authorized and empowered, in the name and behalf of the State and the people of South Carolina, to grant, by written deeds, under their hands and seals, perpetual franchises, for the purpose of shell fish cultivation, in the lands under the public waters in this State, for the consideration of not less than \$1.10 per acre; and the right to use and occupy said grounds for said purposes shall remain in said grantee, his legal representatives or successors, forever: *Provided*, Said grantee shall actually plant such lands within two years from date of grant thereto and use them for no other purpose whatever: *And provided further*, That no grant shall be issued to any person not a citizen of this State, or who has not resided in this State for twelve months, nor to any corporation any member of which is not a citizen of this State; and no grant shall be issued to any one person or corporation for more than three hundred acres; and when such lands shall not be

planted within two years, or, having been planted, shall be abandoned, contrary to the intent and purpose of this Act, they shall immediately revert to the State and may be granted again to any other person or corporation. All franchises granted shall be recorded in a book to be kept by the Fish Commissioner, and also in a book kept by the Clerk of the Court of the County where the land is located, subject to fees as in such cases provided.

A. D. 1891.

Reversion.

Record.

SEC. 6. The Board of Commissioners of the Sinking Fund, after declaring a piece of land forfeited under Section 5 of this Act, and the holder of grant refuses to surrender said land, or claims that he has been unjustly dealt with, may petition the Judge of the Circuit Court where such land is located, or holder of grant complaining may petition the said Judge, who shall appoint a Commissioner to inquire and report, who, after due notice of not less than ten days, shall hear the petitioners and the persons claiming such lands, and report to the Court; and if it shall appear that such lands are not used as required by the deed, said lands shall be ordered to revert to the State, and the cost in such cause shall be paid at discretion of the Court.

Proceedings where surrender is refused.

SEC. 7. The Fish Commissioner, when the Board of Commissioners of the Sinking Fund approves an application for grant of lands for cultivating shell fish, and before such grant is delivered to the party whose application is approved, shall locate and delineate the said land or grounds on the general maps to be kept in the office of the Secretary of State, Department of Public Lands, and shall require the grantee to cause the grounds so conveyed to be accurately marked as hereinafter further required.

Location and delineation of granted lands.

SEC. 8. Franchises granted under Section 5 of this Act shall be deemed to be personal property, and the Courts of the State shall have power and jurisdiction over them as such in determining and enforcing the rights of persons or corporations thereto, and said franchises may be sold, transferred, assigned or conveyed, the same as other personal property, to any other person or corporation of this State. The grantee shall keep the grounds conveyed to him plainly marked by stakes, buoys or monuments, and said marks shall be maintained and continued by his legal representatives or successors.

Deemed personal property.

Jurisdiction of Courts.

Transfers.

Grounds to be kept marked.

SEC. 9. The provisions of this Act shall not be deemed to limit or otherwise interfere with the power of the Board of Commissioners of the Sinking Fund to dispose of vacant marsh lands, or lands between high and low water mark in the tidal

Exceptions as to certain lands.

A. D. 1891.

And as to
phosphate min-
ing.Payments
regulated.Appropriation
for maps and
surveys.

How paid.

When to take
effect.Reservation of
existing rights.

waters of this State, which they deem to be not adapted to shell fish cultivation, and shall not be held to affect lands under water which are held under grants issued under the laws of this State, and shall not affect the rights of persons and corporations under laws of the State to mine phosphate rock.

SEC. 10. All moneys paid for franchises authorized by this Act shall be paid in the same way and manner as now provided by law for the payment of money for other lands under the disposition and control of the Board of Sinking Fund Commissioners.

SEC. 11. The sum of twenty-five hundred dollars or so much thereof as may be necessary to secure the survey and maps provided for in this Act is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, to be paid upon the warrant of the Comptroller General to the order of the agent of the Sinking Fund Commissioners.

SEC. 12. This Act shall take effect immediately.

SEC. 13. That nothing in this Act contained shall be construed to interfere with the rights of any person or persons in any oyster bed planted by or now occupied by them under the existing laws of this State, or with the oyster rights of any person or persons whomsoever.

Approved December 24th, A. D. 1891.

No. 701. AN ACT TO AUTHORIZE AND REQUIRE THE BOARD OF SINKING FUND COMMISSIONERS AND THE FISH COMMISSIONER TO ESTABLISH REGULATIONS FOR THE PROTECTION OF THE NATURAL OYSTER BEDS AND SHELLS OF THIS STATE.

Rules to pre-
vent indiscrimi-
nate fishing for
oysters.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Board of Sinking Fund Commissioners and the Fish Commissioner be, and are hereby, authorized and required to establish, publish, and enforce such regulations and rules as they may deem necessary to protect the natural oyster beds and shells of this State, for the use of citizens of this State, and prevent indiscriminate fishing for oysters therein.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and are hereby, repealed. A. D. 1891.

Repealing
clause.

Approved December 24th, A. D. 1891.

AN ACT TO DEVOLVE UPON THE FISH COMMISSIONER THE EXECUTION OF ALL THE EXISTING FISH LAWS OF THIS STATE. No. 702.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That after the approval of this Act the Fish Commissioner shall be authorized and required to have all the laws of this State relating to fish properly enforced and executed. Duties of
Fish Com'r.

SEC. 2. That all Acts or parts of Acts inconsistent with this Act be, and are hereby, repealed. Repealing
clause.

Approved December 24th, A. D. 1891.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR A LICENSE FOR THE SALE OF PISTOLS OR PISTOL CARTRIDGES WITHIN THE LIMITS OF THIS STATE," BY INSERTING RIFLE CARTRIDGES AND METAL KNUCKLES, AND TO LIMIT THE CALIBRE PROHIBITED. No. 703.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to provide for a license for the sale of pistols or pistol cartridges within the limits of this State," approved December 23rd, A. D. 1890, be, and the same is hereby, amended so that the said Section when amended shall read as follows: A. A. 1890,
ante 653, amend-
ed.

SECTION 1. That hereafter no person or corporation within the limits of this State shall sell or offer for sale any pistol, rifle cartridge or pistol cartridge less than 45 calibre, or metal Section 1
as amended,
License required.

- A. D. 1891.** knuckles, without first obtaining a license from the County in which such person or corporation is doing business so to do.
- Section 2 amended.** SEC. 2. That Section 2 of said Act be, and the same is hereby, amended so that said Section 2 as amended shall read as follows:
- Section 2 as amended.** SECTION 2. That the County Commissioners of the several Counties of this State be, and they are hereby, authorized to
- County Com'rs to issue licenses.** issue licenses in their respective Counties for the sale of pistols and pistol and rifle cartridges of less than 45 calibre, and metal knuckles, upon the payment to the County Treasurer by the
- Fee.** person or corporation so applying for said license of the sum of two hundred dollars annually.
- Section 3 amended.** SEC. 3. That Section 3 of said Act be, and is hereby, amended so that as amended said Section 3 shall read as follows:
- Section 3 as amended.** SECTION 3. That any person who shall sell or offer for sale any pistol, or pistol or rifle cartridge of less than 45 calibre, or
- Sale without license a misdemeanor.** metal knuckles, without having obtained the license provided for in this Act shall be deemed guilty of a misdemeanor, and
- Punishment.** on conviction shall be punished by a fine not exceeding five hundred dollars or be imprisoned not exceeding one year, or both, at the discretion of the Court.

Approved December 24th, A. D. 1891.

No. 704. AN ACT TO ESTABLISH A NORMAL AND INDUSTRIAL COLLEGE IN THE STATE OF SOUTH CAROLINA FOR THE EDUCATION OF WHITE GIRLS.

- Institution established.** SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That there shall be established an institution for the practical training and higher education of white girls, as a branch of the State University, which shall be known as "The South Carolina Industrial and Winthrop Normal College," and shall be located, equipped and conducted as hereinafter provided.
- Name.**
- Board of Trustees.** SEC. 2. That the institution shall be managed by a Board of Trustees, composed of the Governor of the State and the State Superintendent of Education and the Chairman of the Committees on Education of the Senate and House of Representatives,

who shall be members *ex officio*, and seven others elected by the Legislature. The regular terms of office of the elected members shall be six years, but the first seven elected shall serve two for two years, two for four years, and three for six years, these terms to be determined by lot after election. The terms of office of the elected members shall date from the first day of January next after their election, and the Legislature shall hold an election every two years to fill vacancies as they may occur by the expiration of the terms of office: *Provided*, That after the location of said institution has been determined on by the Board of Trustees above provided for, said Board of Trustees shall be increased by two additional members who shall reside at or near the place where the institution is located, said two additional members to be elected by the Board of Trustees and to hold office until the meeting of the General Assembly in 1893. In all cases where there is a vacancy in the Board of Trustees the Governor shall be empowered to fill it by appointment until the next session of the Legislature. The Board of Trustees shall report before the meeting of each General Assembly to the Governor the conditions, needs and operations of the institution.

A. D. 1891.

Terms of office.

Two additional trustees from the locality.

Vacancies.

Annual report.

SEC. 3. That the Secretary of State shall furnish a certificate to each trustee within ten days after his election, notifying him that he has been so elected, and if any trustee fail for the space of thirty days to inform the Governor of his acceptance, then his election shall be void, and his place shall be filled as heretofore provided in cases of vacancy.

Secretary of State to notify trustee.

If he fail to accept, his election void.

SEC. 4. That the first Board of Trustees shall convene within ten days after the adjournment of the Legislature for organization and for the transaction of business. A majority of said Board shall constitute a quorum. Whenever any member of the Board has failed to attend two successive meetings of said Board without rendering an excuse which is satisfactory to and accepted by the Board, his place shall be declared vacant by the Board and shall be filled as heretofore provided. The actual expenses of the members of the Board incurred in attending any of its meetings shall be paid out of the funds of the institution. There shall be at least two regular meetings of the Board of Trustees each year.

Meeting of Board.

Quorum.

Failure to attend; penalty.

Expenses.

Number of meetings.

SEC. 5. That the Board of Trustees of the South Carolina Industrial and Winthrop Normal College are hereby created a body corporate by the name and style of "The Trustees of the South Carolina Industrial and Winthrop Normal College," and shall

Incorporation.

Name.

A. D. 1891:	by said name have perpetual succession of officers and members,
Corporate powers.	the right to use and keep a common seal, and the same to alter at will; and may sue and be sued, contract and be contracted
Property rights.	with, and may own, purchase, sell and convey property, both real, personal and mixed, and are authorized and empowered to
Proviso as to incumbered property.	receive and hold donations, devises, bequests and legacies for the use and benefit of the said institution: <i>Provided</i> , That all prop-
To be State property.	erty purchased under the authority of this Act shall be free from liens and incumbrances, and title to the same as well as to any
By-laws.	donations that said Board may receive shall be taken in the name of the trustees in their corporate capacity, and shall become the
	property of the State of South Carolina. They shall have full power and authority, from time to time, to make, constitute and establish such by-laws, rules and orders, not inconsistent with the laws of the land, as to them shall seem necessary and convenient for the better regulation, government, well-ordering and directing of themselves as trustees as well as the South Carolina Industrial and Winthrop Normal College, and all officers, teachers or other persons by them employed in and about the same, and all pupils in the said institution. They shall possess all the
Powers in trust.	power necessary for the accomplishment of the trust committed
Main objects.	to them, viz.: The establishment, conduct and maintenance of a first-class institution for the thorough education of the "white girls" of South Carolina, the main objects of which shall be (1) to give to young women such education as shall fit them for teaching; (2) to give instruction to young women in stenography, typewriting, telegraphy, bookkeeping, drawing, (free hand, mechanical, architectural, etc.) designing, engraving, sewing, dressmaking, millinery, art needlework, cooking, housekeeping, and such other industrial arts as may be suitable to their sex and conducive to their support and usefulness. Said trustees
Additional special features.	shall have authority to add, from time to time, such special features to the institution and to open such new departments of training and instruction therein as the progress of the times may require.
President and professors.	SEC. 6. That the Board of Trustees shall appoint a President and professors of said institution, and such other officers as they
Other officers.	may think proper to put the same in successful operation. They
Salaries, &c.	shall fix all salaries and wages of teachers and employees. The
President to attend meetings.	President selected by them shall attend every meeting of the
Departments.	Board for consultation and to give information concerning the institution. The Board, aided by the President, shall divide the course of study and instruction into departments, so as to secure

thorough education and the best possible instruction. No girl shall be allowed to take a course in said institution who does not receive instruction in at least one industrial art.

A. D. 1891.

Girls to take industrial instruction.

Location.

SEC. 7. That the said Board of Trustees, as soon as practicable after their organization, shall proceed to select a location for the South Carolina Industrial and Winthrop Normal College.

In the selection of the location the Trustees shall look to the convenience of the people of every section of the State; they shall take into consideration the advantages and disadvantages of the different offers, in money and sites, made for the location of the institution, and shall locate it at the place which offers the most advantages. They shall see that the bids for the location

How determined.

of the institution are fully secured, and shall give notice for thirty days, in three newspapers published in this State, before finally locating said institution. When the site is selected, they shall, as soon as possible, erect suitable buildings for said institution, and procure and place in the same the necessary machinery, power, fixtures, furniture, equipment, appliances and apparatus to carry into effect the intention of this Act: *Provided*, Said grounds, buildings and equipment shall be secured without expense to the State.

Bids for location.

Notice.

Buildings and appliances.

Provide.

SEC. 8. That for the purpose of this Act, the authorities of any County or incorporated city or town may appropriate from their funds money to secure the location of this institution; or they may order and hold an election, and take the sense of the qualified voters upon "subscription" or "no subscription" of a definite sum, to be paid in money or bonds, giving one month's notice of same. And if a majority of the voters shall vote for subscription, the authorities shall have full power to make good the subscription in money, or in bonds which they may issue, and for whose payment, principal and interest, they shall provide.

Appropriation of municipal funds.

Election on question of subscription.

Subscriptions authorized. Bonds in payment.

SEC. 9. That the tuition charge for students shall be forty (\$40) dollars a session: *Provided*, Students shall be admitted free of tuition charges who are not able to pay their tuition, as ascertained and determined by the Board of Trustees.

Tuition fees.

SEC. 10. That the said Trustees are authorized and empowered to confer degrees and grant diplomas to all persons who satisfactorily complete the prescribed courses of study and training in said institution, and a diploma from the Normal Department shall entitle the holder to teach in any of the public schools of the State as first grade teacher without further examination.

Degrees.

Diploma of Normal Dep't. Authority to teach.

A. D. 1891.

Winthrop
Training School
accepted and
merged.

Proviso.

Scholarships.

To be awarded
on competitive
examination.Treasurer of
Board to receive
from State Treas-
ury \$150 for
every benefi-
ciary.A. A. 1887, 19
Stat., 816, 1099,
repealed.Transfer and
enlargement of
Winthrop Train-
ing School.Approval of its
accomplished
work.Right to use of
convicts.

SEC. 11. That the offer of the Trustees of the Winthrop Training School to turn that institution over to the State be accepted, and that that institution be merged into the Winthrop Normal College: *Provided*, That it be maintained at Columbia for the present, as has been the Winthrop Training School; and that one scholarship for one young woman from each County in the State be provided for until the opening of the South Carolina Industrial and Winthrop Normal College, when it shall be transferred to and merged into the college herein provided for. These scholarships are to be awarded upon competitive examination, by the State Superintendent of Education, under regulations of the said Board of Trustees.

SEC. 12. That there shall be paid out of the State treasury to the said Board of Trustees, or to such person as they may designate as Treasurer, the sum of one hundred and fifty dollars per annum for every beneficiary so appointed, thirty dollars thereof to cover necessary school expenses, and the remaining one hundred and twenty dollars to cover board, etc., of the beneficiary.

SEC. 13. That "An Act to provide for beneficiary scholarships in the Winthrop Training School for Teachers at Columbia, S. C.," approved December 23d, 1887, and "An Act relating to the Winthrop Training School for Teachers," approved December 24th, 1887, be, and the same are hereby, repealed, and all the functions, rights, moneys, etc., heretofore vested in "The Trustees of the Winthrop Training School for Teachers" are hereby transferred to and vested in "The Trustees of the South Carolina Industrial and Winthrop Normal College," it being understood that this Act is to effect an enlargement and continuation of the life of the Winthrop Training School for Teachers, in conjunction with provision for an education along industrial lines, under a different name and under full State control, and is a recognition of the good work done by the Winthrop School during the past six years in training teachers for the common schools of this State.

SEC. 14. That the Trustees of the said South Carolina Industrial and Winthrop Normal College be authorized to make a requisition on the Superintendent and Board of Directors of the State Penitentiary for as many as one hundred able-bodied convicts, if so many be required, for the purpose of working them in the erection [of buildings]* for said College, and the said Superintendent and Board of Directors of the Penitentiary are hereby required to furnish the number of convicts so requested, if on

*The two words in brackets were omitted in the enrolled Act.—Editor.

hand in the Penitentiary: *Provided*, That the Trustees of the said South Carolina Industrial and Winthrop Normal College shall be at all expense of transportation and of furnishing necessary guards, quarters and board of said convicts while under their charge. A. D. 1891.
Trustees to defray expenses.

SEC. 15. That this Act take effect and be in full force from and after its passage. When to take effect.

Approved December 23rd, A. D. 1891.

A JOINT RESOLUTION TO REQUIRE THE ATTORNEY GENERAL
TO INVESTIGATE AND INQUIRE INTO THE MANAGEMENT OF THE
PORT ROYAL AND AUGUSTA RAILWAY AND TO TAKE ACTION
THEREON. No. 705.

Whereas, The Port Royal and Augusta Railway Company, a corporation created by and under the laws of this State, was incorporated for the purpose of constructing and operating a railroad from some point on the Savannah River to deep water at or near Port Royal, South Carolina. *And whereas*, complaints are made that said railroad is controlled and operated by a foreign corporation, and contrary to the provisions of its charter, and in a manner detrimental to the section of the State intended to be benefited by said road, wholly failing to carry out the purposes of its incorporation: Preamble.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Attorney General of this State be, and he is hereby, instructed to investigate the conduct and management of said railroad, and if in his judgment cause exist therefor, that he institute proceedings to revoke the charter heretofore granted to aforesaid company, and that he report his action to the next session of the General Assembly. To investigate management.
Authorized to institute proceedings.
Report.

Approved December 16th, A. D. 1891.

A. D. 1891.

No. 706.

A JOINT RESOLUTION TO REQUIRE THE RICHMOND AND DANVILLE RAILROAD COMPANY TO ESTABLISH AN AGENCY AT SHELTON, IN FAIRFIELD COUNTY, AND BUILD A DEPOT AND PLATFORM AT SAID PLACE.

Depot and
platform direct-
ed.

Plan of.

Agency es-
tablished.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Richmond and Danville Railroad Company be, and they are hereby, required forthwith to erect and build a depot and platform at Shelton, in Fairfield County, on the line of the Columbia, Spartanburg and Union Railroad in accordance with the usual plans and specifications of platforms and depots on said railroad, and subject to the approval of the Railroad Commissioners of this State when the same shall be completed, and that the said railroad be, and they are hereby, further required to establish an agency at said place of Shelton.

Approved December 16th, A. D. 1891.

No. 707. A JOINT RESOLUTION TO REQUIRE THE RICHMOND AND DANVILLE RAILROAD COMPANY TO ERECT A PASSENGER DEPOT IN THE CITY OF SPARTANBURG.

Whereas, The passenger depot of the Richmond and Danville Railroad Company in the city of Spartanburg is insufficient for the accommodation of the travelling public:

Approved pas-
senger depot to
be erected within
6 months.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Richmond and Danville Railroad Company be, and are hereby, required to build such a passenger depot in the city of Spartanburg, within six months after the passage of this Joint Resolution, as shall be acceptable to and approved by the Railroad Commissioners of this State.

Penalty for
failure.
Duty of
Atty-Gen'l.

SEC. 2. That upon the failure of the Richmond and Danville Railroad Company to erect the depot within the time provided for in the first Section of this Joint Resolution, they shall be liable to a penalty of five hundred dollars, and the Attorney

General is hereby required and directed to enforce said penalty by suit in any Court of competent jurisdiction. A. D. 1891.

Approved December 22d, A. D. 1891.

A JOINT RESOLUTION TO AUTHORIZE AND DIRECT THE No. 708.
STATE TREASURER TO INVEST IN STATE SECURITIES THE MONEY
RECEIVED BY HIM AS THE ESCHEATED ESTATE OF T. STACY
BURTON.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer of this State be, and he is hereby, authorized and directed to invest in State securities of this State the funds in his hands, and which shall come into his hands, from the escheated estate of T. Stacy Burton, and also such interest as he may receive thereon, until the same shall have been duly appropriated according to law. Investment
ordered.

Approved December 22nd, A. D. 1891.

A JOINT RESOLUTION TO PROVIDE FOR REPAIRING THE No. 709.
TOMB OF GENERAL FRANCIS MARION, IN BERKELEY COUNTY.

Whereas, The marble slab upon the tomb of General Francis Marion, in Berkeley County, has been broken, and the tomb is sadly in need of repairs: And, *whereas*, It is becoming and proper that the place of burial of the distinguished soldier should be marked by an appropriate tomb, suitably inscribed, and that the broken slab should be preserved: Preamble.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of three hundred dollars, if so much be necessary, be, and the same is hereby, appropriated for the repairing of the tomb. \$300 appropri-
ated to repair
tomb.

A. D. 1891. tomb of General Francis Marion, and suitably inscribing same, in Berkeley County, where the remains are buried.

How and when paid. SEC. 2. That the Comptroller General be, and is hereby, authorized and required to draw his warrant upon the State Treasurer, when so directed by the Governor of this State, in favor of such person or persons who shall contract to do such work, for such sum or sums, not exceeding the said sum of three hundred dollars, as may be due to said persons under contract with the Governor as aforesaid.

Governor to call for bids. Cost. SEC. 3. That the Governor of the State is hereby authorized and required to call for bids for the repairs of said tomb and to contract for the same: *Provided*, The cost shall not exceed the sum of three hundred dollars.

Approved December 23rd, A. D. 1891.

No. 710. A JOINT RESOLUTION TO APPROPRIATE FROM THE STATE TREASURY THE SUM OF ONE HUNDRED AND TWENTY-FIVE DOLLARS TO BE USED FOR THE PURPOSE OF ERECTING MARBLE HEAD AND FOOT STONES AT THE GRAVES OF THOSE SOUTH CAROLINA SOLDIERS WHO FELL AT THE BATTLE OF FRANKLIN, TENNESSEE, AND WHOSE REMAINS ARE THERE INTERRED.

Preamble. *Whereas*, The graves of some of the gallant soldiers of our State have been carefully marked, preserved and inclosed by a substantial iron fence by the patriotic members of the John L. McEwen Bivouac of ex-Confederates, at Franklin, Tennessee; and *whereas*, The wooden head and foot stones are now decaying; and *whereas*, The said Bivouac Association has requested the people of South Carolina to aid them in placing substantial head and foot stones at the graves of our soldiers. Now,

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller General be, and is hereby, authorized and required to draw his warrant upon the State Treasurer, and the State Treasurer to pay the same to Rev. Ellison Capers for B. F. Roberts, President of the John L. McEwen Bivouac of Confederate Veterans, of Franklin, Tennessee, for the sum of one

Warrant for \$125 to be drawn and paid.

hundred and twenty-five dollars, if so much be necessary, for the purpose of erecting suitable head and foot stones at the graves of the South Carolina soldiers, which have hitherto been marked and preserved by the aforesaid John L. McEwen Birouac of Confederate Veterans at Franklin, Tennessee.

A. D. 1891.

For marking graves at Franklin.

Approved December 24th, A. D. 1891.

A JOINT RESOLUTION TO AUTHORIZE THE FACULTY OF THE SOUTH CAROLINA COLLEGE TO PLACE STUDENTS IN THE LAW DEPARTMENT FOR THE PRESENT YEAR ON THE SAME FOOTING AS TO BENEFICIARY SCHOLARSHIPS AS OTHER STUDENTS.

Preamble.

Whereas, The full terms of the proviso of Section 10 of an Act entitled "An Act to reorganize and provide for the University of South Carolina, constituting the Board of Trustees of the same, and defining their powers and duties," approved December 23d, 1890, excepting the Law Department from beneficiary scholarships, were not published in the catalogue issued thereafter, although it was stated in the catalogue that such scholarships would be granted to worthy students whose necessities required exemption from tuition fees; *and whereas*, Certain members of the law class for the present year came to the college expecting to have granted to them beneficiary scholarships, as are granted to other students. Therefore,

Article 690.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the faculty of said University be authorized and required to place the students in the Law Department of the University for the present year on the same footing as to beneficiary scholarships and exemption from tuition fees as the other students, and thus to ignore for this year the exception as to the Law Department contained in said proviso of Section 10 of said Act.

Certain Law Students may be remitted tuition fees of present year.

Approved December 24th, A. D. 1891.

A. D. 1891.
 No. 712.

A JOINT RESOLUTION TO AUTHORIZE AND PERMIT THE FRENCH ATLANTIC CABLE COMPANY TO LAND A SUBMARINE CABLE AT SOME ELIGIBLE POINT IN THE STATE OF SOUTH CAROLINA.

Authorized to
 land cable.

Navigation not
 to be affected.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the French Atlantic Cable Company be, and is hereby, authorized and permitted to land a submarine cable at some eligible point in the State of South Carolina where navigation will be in no degree disturbed or affected by such landing.

Approved December 24th, A. D. 1891.

No. 713. AN ACT TO AMEND SUBDIVISION 1 OF AN ACT ENTITLED "AN ACT TO AMEND SUBDIVISION 1 OF SECTION 1 OF AN ACT ENTITLED 'AN ACT TO FIX THE TIME OF THE SITTING OF THE CIRCUIT COURTS IN THE THIRD JUDICIAL CIRCUIT,' APPROVED DECEMBER 23D, A. D. 1889," APPROVED DECEMBER 24TH, A. D. 1890.

A. A. 1890,
 ante 700, amended.

Ante, 357.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Subdivision 1 of Section 1 of an Act entitled "An Act to amend Subdivision 1 of Section 1 of an Act entitled 'An Act to fix the time of the sitting of the Circuit Courts in the Third Judicial Circuit,' approved December 23d, A. D. 1889," approved December 24, 1890, be, and the same is hereby, amended, so that said Subdivision, as amended, shall read as follows :

Terms of Court
 in Florence.

1. The Court of General Sessions at Florence, for the County of Florence on the last Monday in January, the fourth Monday in May, and the third Monday in September, and the Courts of Common Pleas at the same place on the Wednesday following the last Monday in January, the fourth Monday in May and the third Monday in September, the first term of said Circuit Court to be held on the last Monday in January, 1890.

Approved December 23rd, A. D. 1891.

AN ACT TO FIX THE TIMES FOR HOLDING THE CIRCUIT COURTS
IN PICKENS COUNTY, IN THE EIGHTH CIRCUIT.

A. D. 1891.

No. 714.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the approval of this Act the Circuit Court for Pickens County, in the Eighth Circuit, shall be held as follows: The Court of General Sessions at Pickens, for the County of Pickens, on the first Monday in March, the second Monday in July, and the third Monday in September; and the Court of Common Pleas for said County at the same place on the Wednesdays next following the first Monday in March, the second in July, and the third Monday in September.

Approved December 24th, A. D. 1891.

AN ACT TO AMEND SUBDIVISION 16 OF SECTION 88 OF THE CODE
OF CIVIL PROCEDURE, RELATING TO THE COURTS OF TRIAL
JUSTICES.

No. 715.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Subdivision 16 of Section 88 of the Code of Civil Procedure for this State be, and the same is hereby, amended so as to read as follows:

Code, § 88, §
16, amended.

16. When twenty-five or more dollars is demanded, the complaint shall be served on the defendant not less than twenty days; and where less than that sum is demanded, not less than five days before the day therein fixed for trial: *Provided*, That if the plaintiff shall make out that he is apprehensive of losing his debt by such delay, and the Trial Justice considers that there is good reason therefor (the ground of such apprehension being set out in an affidavit and served with a copy of the complaint), he may make such process returnable in such time as the justice of the case may require.

Time for serving complaint.

When, and how shortened.

Approved December 22nd, A. D. 1891.

A. D. 1891. **AN ACT TO AMEND SECTION 1003 OF THE GENERAL STATUTES OF THIS STATE, RELATING TO THE COMPENSATION OF COUNTY SCHOOL COMMISSIONERS.**
 No. 716.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That *Section 1003* of the General Statutes of this State be, and the same is hereby, amended by striking out all after the word "duties" on line 5, down to and including the word "County," on line 7, and inserting in lieu thereof the following: And he shall receive annually, in addition to the compensation now allowed him, such sum as may be necessary to pay the actual expenses incurred by him in attending meetings called for the purpose of advancing the educational interests, and for the purpose of visiting schools in other Counties in order to become familiar with their management and mode of teaching: *Provided*, That no such account shall be approved in favor of any County School Commissioner until such School Commissioner shall have furnished the County Board of Examiners with itemized statement under oath of the expenses incurred: *And provided, further*, That in no case shall the expenses aforesaid exceed one hundred dollars, to be paid on the warrant of the County Board of Examiners. So that said Section when amended shall read as follows:

SECTION 1003. Each County School Commissioner shall receive such compensation as the County Board of Examiners, as hereinafter provided for, may allow him, not to exceed three dollars a day, to be determined by the County Board of Examiners, for each day actually employed in the discharge of his official duties, and he shall receive annually, in addition to the compensation now allowed him, such sum as may be necessary to pay the actual expenses incurred by him in attending meetings called for the purpose of advancing the educational interests, and for the purpose of visiting schools in other Counties in order to become familiar with their management and mode of teaching: *Provided*, That no such account shall be approved in favor of any County School Commissioner until such School Commissioner shall have furnished the County Board of Examiners with an itemized statement under oath of the expenses incurred: *And provided, further*, That in no case shall the expenses aforesaid exceed one hundred dollars, to be paid on the warrant of the County Board of Examiners. His claim for

General Statutes, §1003, as to compensation of School Commissioner in attending schools and meetings.

Section 1003 as amended.

Compensation of School Commissioner.

Additional compensation for attending schools and meetings in other Counties.

Itemized sworn statement.

Limit to expense.

services and expenses shall be presented in the form of an account against the County Board of Examiners, and shall be verified by affidavit to the effect that said account is just and true, that the service therein named was honestly and faithfully rendered, and that the sum therein claimed is rightfully due and remains unpaid. When said account shall have been duly audited and approved by the County Board of Examiners, it shall be filed with the County Treasurer, who shall pay the same ratably out of the funds apportioned to the several school districts in proportion to the average number of children attending the free public schools in each school district: *Provided*, That the County Board of Examiners shall determine the number of days in each year in which the said County School Commissioner may labor in the performance of the duties required of him: *Provided, further*, That the number of days in each and every year for which said compensation shall be allowed shall in no case exceed two hundred days. In deciding the number of days for which each County School Commissioner shall be allowed compensation in each and every year, and in making the assessment on each school district as provided for in this Section, the County Auditor shall, as a member of the Board, act in place of the County School Commissioner; and it shall be the duty of said County Board of Examiners to certify to the County Treasurer the amount assessed on each school district: "*Provided, further*, That the provisions of this Act shall not apply to Charleston County.

A. D. 1891.
Account—how presented.

Audit and payment.

How apportioned.

Provisoes as to number of days.

Auditor to serve on board.

Certificate of board.

Proviso as to Charleston.

Approved December 22nd, A. D. 1891.

AN ACT TO AMEND SECTION 1079 OF THE GENERAL STATUTES No. 717.
OF THIS STATE, RELATING TO APPOINTMENT OF REFEREES
ON LOCATION OF HIGHWAYS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1079 of the General Statutes of this State be, and the same is hereby, amended by adding to said Section the following: "If the two Referees thus selected shall fail, within ten

Gen. Stat., § 1079, amended as to the third referee.

A. D. 1891. days after their selection, to appoint a third Referee, then the Chairman of the Board of Equalization of the township in which the road is to be opened shall become the third Referee, and he, with said Referees, shall proceed to make the location of the highway and determine the compensation and damages for the same." So that said Section when amended shall read as follows:

Referees to select a third member and constitute a board.

Appeal.

Who to act if two referees fail to appoint.

Action of board.

SECTION 1079. The Referees so appointed shall, within ten days thereafter, meet at some convenient place and appoint a third Referee, and the three Referees so appointed shall constitute a Board of Referees for the location of such highway, and to determine the compensation and damages for the same, from whose decision there shall be allowed an appeal to the Circuit Court for the County in which said road is proposed to be opened. If the two Referees thus selected shall fail, within ten days after their selection, to appoint a third Referee, then the Chairman of the Board of Equalization of the township in which the road is to be opened shall become the third Referee, and he, with said Referees, shall proceed to make the location of the highway and determine the compensation and damages for the same.

Approved December 18th, A. D. 1891.

NO. 718. AN ACT TO REPEAL SECTION 1484 OF THE GENERAL STATUTES RELATING TO THE ERECTION OF SIGNS TO BE PLACED AT RAILROAD CROSSINGS, AND TO SUBSTITUTE A NEW SECTION THEREFOR.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1484 of the General Statutes of South Carolina be, and the same is hereby, repealed, and the following Section substituted for the same, to be known as Section 1484:

Gen. Stat., § 1584, repealed.

Substituted section.

Sign at crossings.

SECTION 1484. Every railroad corporation shall cause signs to be placed, and constantly maintained, alongside of each public road or street where the same is crossed by the railroad on the same level. Said sign shall be elevated so as to be easily seen

by travellers, and on each side of the same shall be printed in large letters the words "Railroad Crossing." But this Section shall not apply to streets in cities, towns and villages unless the corporation be required to put up such sign by the officers having charge of such streets.

A. D. 1891.

Inscription
thereon.
Exception.

Approved December 16th, A. D. 1891.

AN ACT TO AMEND SECTION 1584 OF THE GENERAL STATUTES, No. 719.
RELATING TO THE STATE LUNATIC ASYLUM.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1584 of the General Statutes be, and the same is hereby, amended, so as to read as follows: Gen. Stat.,
§1584, amended.

SECTION 1584. The Governor shall appoint, by and with the advice and consent of the Senate, five Regents of the Lunatic Asylum, who shall hold their offices for six years from the day of appointment, except upon the occurrence of a vacancy in the Regency, when the Governor shall fill the same by an appointment for the unexpired term only. Governor to
appoint Regents
of Lunatic Asy-
lum.

SEC. 2. That for the purpose of conforming the administration of the Lunatic Asylum to the foregoing Section, as amended, as soon as practicable after the approval of this Act, the incumbent Regents shall decide, by lot, on four of their number, who shall thereupon cease to be Regents, and the remaining five shall for the present constitute the Board of Regents; that of the remaining five, two shall be selected by lot to serve for two years, two to serve for four years, and one to serve for six years, their successors to be appointed under this Section, as amended, on the expiration of their terms of office as above determined. Tenure of pres-
ent Board deter-
mined.

Appointment
of successors.

Approved December 5th, A. D. 1891.

A. D. 1891. **AN ACT TO AMEND SECTION 1636 OF THE GENERAL STATUTES, RELATING TO LEGAL HOLIDAYS.**
No. 720.

Gen. Stat.,
 §1636, amended
 by adding
 another holiday.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1636 of the General Statutes be, and the same is hereby, amended by striking out the word "and," on the second line of said Section, and adding after the word "December," on the third line thereof, the words "and the first Monday in September of each year." So that said Section as amended shall read :

Legal holidays.

SECTION 1636. National thanksgiving days and all general election days, the first day of January, the twenty-second day of February, the fourth day of July, the twenty-fifth day of December, and the first Monday in September of each year shall be legal holidays: *Provided*, That nothing herein contained shall be so construed as to affect judicial sales as now provided by law, or any other legal transactions on the first Monday in September.

Proviso as to
 sales, &c.

Approved December 22nd, A. D. 1891.

No. 721. **AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND SECTION 1669 OF THE GENERAL STATUTES OF THE STATE, IN RELATION TO FISH," APPROVED DECEMBER 23RD, 1889, BY ADDING A SECTION THERETO, TO BE DESIGNATED AS SECTION 3, PROVIDING FOR A SPECIAL PATROL.**

A. A. 1889,
 ante 379, amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to amend Section 1669 of the General Statutes of the State, in relation to fish," approved December 23rd, 1889, be, and said Act is hereby, amended by adding another Section to said Act, to be known as Section 3, to read as follows :

Additional
 section.
 Governor to
 appoint fish pat-
 rol.

SECTION 3. That the Governor be, and he is hereby, authorized and required to appoint a special patrol, consisting of one chief and two assistants, citizens of this State, which patrol, when so appointed, shall, from the first day of February until

the fifteenth day of April of each year, carefully patrol the waters of the Waccamaw, Great Pee Dee, and Bull Creek Rivers, within one mile of the mouths thereof, and all waters below a line from where Musquito Creek empties into Winyah Bay, across said bay in an easterly direction to the opposite shore of said bay, and such other streams accessible to shad as the Governor may direct; which chief patrol shall receive as compensation three dollars per day, and each assistant two dollars per day while actually employed; and the said chief patrol shall be furnished with one hundred dollars, to purchase a suitable boat and oars and equipment for said patrol; which sum and the said per diem of the said patrol force shall be paid by the State Treasurer on the warrant of the Comptroller General out of any funds not otherwise appropriated; and said chief and assistants shall have the power and authority to arrest any and all persons caught in the act of violating any of the provisions of the laws relating to fish in this State, and to take them before the nearest Trial Justice, to be dealt with according to law, and said patrol force shall at the time of making said arrest seize and keep all boats, seines, nets and tackle which were being used by the parties so violating the law, and said patrol shall also be required to seize any boats, seines, nets and tackle which they may find in the streams, which obstruct the free navigation of fish in said streams: *Provided, however,* That the owner or owners or parties having charge of said boats, seines, nets and tackle which may be so seized, shall have the right to obtain the possession of the same by giving bond to a Trial Justice in the sum of two hundred dollars for the return of said property in case it is found that the laws of this State have been violated. If the party or parties so arrested are convicted, then the boats, seines, nets and tackle so used by them shall be forfeited to the State, and advertised and sold as personal property under execution of said chief patrol, one-half of the net proceeds to be equally divided among the patrol force, after the costs of sale has been deducted, and the other half to be paid into the State Treasury; this forfeiture to be an additional penalty to the fines and punishment otherwise provided by law against such violations of the fish laws of this State. And if no owner or owners or party claiming the said boats, seines, nets and tackle which shall have been seized as aforesaid, shall come forward and claim the same and give the bond hereinbefore provided for within ten days after such seizure, then the same

A. D. 1891.

Duties of patrol.

Compensation.

Boat.

Payment of
patrol.

Powers.

Seizure and
condemnation of
nets, &c.

How recovered
by owner.

Forfeiture.

Division of
proceeds of sale.

In cases of
no claimant.

A. D. 1891. shall be forfeited to the State and sold as hereinabove provided, and the proceeds of such sale to be divided as above provided for.

Approved December 22nd, A. D. 1891.

No. 722. AN ACT TO AMEND SECTION 1870 OF THE GENERAL STATUTES, RELATING TO THE PROBATE OF WILLS, BY ADDING THERETO A PARAGRAPH, TO BE KNOWN AS PARAGRAPH 3.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1870 of the General Statutes be, and the same is hereby, amended by adding thereto, at the end of paragraph 2, the following, to be known as paragraph 3:

Gen. Stat.,
§1870, amended.

Additional
paragraph.

Proceedings in
cases of non-res-
idents.

Summons to
be issued.

How served.

Proceedings to
be had where no
one appears.

“3. When the person producing said will for probate is a non-resident of the State, or cannot after due diligence be found within the State, and that fact appears by affidavit to the satisfaction of the Probate Judge, and it in like manner appears that there is cause for the commencement of proceedings for the probate of said will in solemn form, the said Probate Judge may grant an order that a summons requiring the filing of the petition herein provided for be served on such absent or non-resident person by publication in such manner and for such period and with like force and effect as provided by law in regard to the publication of summons in civil actions. If such absent or non-resident person shall fail or neglect to file his or her petition pursuant to said summons within twenty days after the expiration of the period of publication thereof, it shall be lawful for the Probate Judge, upon application by the party or parties moving in the proceedings, to enter judgment *pro confesso* against such absent or non-resident person, and to issue a summons to all such persons as would have been entitled to share in the distribution of the estate if the deceased had died intestate, requiring them to attend at the said Court on a day therein fixed. And such further proceedings shall thereupon be had as provided by paragraph 2 of this Section.”

Approved December 24th, A. D. 1891.

AN ACT TO AMEND SECTION 2037 OF THE REVISED STATUTES RELATING TO THE POWER OF MARRIED WOMEN TO MAKE CONTRACTS; ALSO TO REPEAL SECTION 1 OF "AN ACT TO DECLARE THE LAW RELATING TO THE SEPARATE ESTATES OF MARRIED WOMEN," PASSED 23RD DAY OF DECEMBER, 1887.

A. D. 1891.

No. 723.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2037 of the Statutes be amended so as to read as follows:

Gen. Stat.,
§2037, amended.

SECTION 2037. A married woman shall have the right to purchase any species of property in her own name, and to take proper legal conveyances therefor, and to bind herself by contract, in the same manner and to the same extent as though she were unmarried, which contracts shall be legal and obligatory, and may be enforced at law or in equity by or against such married woman in her own name, apart from her husband: *Provided*, That nothing herein shall enable such married woman to

Powers of married women.

Enforcement of
her contracts.

become an accommodation indorser, guarantor, or surety, nor shall she be liable on any promise to pay the debt or answer for the default or liability of any other person; and *provided further*, That the husband shall not be liable for the debts of the wife contracted prior to or after their marriage, except for necessary support, and that of their minor children residing with her.

No power to
contract as surety
or for debt of
another.Liability of
husband.

SEC. 2. That Section one (1) of an Act entitled an "Act to declare the law regarding the separate estate of married women," approved December 24, 1887, be, and the same is hereby, repealed.

A. A. 1887, §1.
19 Stat., 819, Repealed.

Approved December 23rd, A. D. 1891.

AN ACT TO AMEND SECTIONS 2051 AND 2054 OF THE GENERAL STATUTES RELATING TO PUBLIC GUARDIANS. No. 724.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2051 of the General Statutes be amended so as to read as follows:

Gen. Stat.,
§2051, amended.

Judge of Probate to be appointed in certain cases.

SECTION 2051. The Judge of Probate for each County in this

A. D. 1891.

How and by
whom appointed.Liability of
Judge of Probate
and his sureties.Sec. 2054
amended.Investments to
be approved.

Record.

State shall be required to act as the guardian of the estates of minors, idiots, and lunatics in their respective Counties where such minors, idiots, or lunatics have no general or testamentary guardian or guardians, and where it is made satisfactorily to appear to the Court of Common Pleas, or a Judge of said Court at Chambers, on a petition filed for that purpose, and on proof that the notice of the object of the said petition, together with a statement of the nature, condition, and value of the estate of said minor, idiot, or lunatic, has been inserted once a week for two weeks previously in some public newspaper published in said County, or, if there be none, in some adjoining County, and also at the door of the Court House, that no fit, competent, and responsible person can be found who is willing to assume such guardianship; and the Judge of Probate appointed as such guardian and his sureties shall be held responsible upon his official bond for all estates of such minors, idiots, and lunatics received by him.

SEC. 2. That Section 2054 of the General Statutes be amended so that the same shall read as follows:

SECTION 2054. All investments made by the Judge of Probate as public guardian shall be made under the direction and with the approval of the presiding Judge, or the Judge of the Circuit in which said Judge of Probate resides, upon a petition and proof that said proposed investment is a safe and proper one; that the public guardian shall have due notice of the petition and of the time and place of taking testimony thereunder, with the right to cross-examine petitioners' witnesses, and to offer testimony; and the said petition, testimony, or decree made thereupon by said Court or Judge shall be duly recorded as provided in Section 2056.

Approved December 22nd, A. D. 1891.

AN ACT TO AMEND SECTION 2115 OF THE GENERAL STATUTES, A. D. 1891.
RELATING TO THE POWERS OF CIRCUIT JUDGES AT CHAMBERS. No. 725.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same. That Section 2115 of the General Statutes be, and the same is hereby, Gen. Stat., §2115, amended. amended so as to read as follows :

SECTION 2115. The Judges of the Courts of Common Pleas shall have power at Chambers to grant writs of prohibition, Powers of Circuit Judges at Chambers. mandamus and certiorari, and to hear and determine motions to set aside or stay executions, in the same manner, in every respect, as if the Court was actually sitting; and, with the consent of all such adult parties as may have answered, or their attorneys in a cause, and of the guardians *ad litem* of infants therein, to hear and determine any matter not properly triable before a jury; and the parties respectively shall have the same right of Hearing of causes. appeal as if the decision was made in open Court. They may hear and determine actions for partition and foreclosure suits Appeal. Partition and foreclosure. Writs, &c. when not contested, and may grant all writs and processes in such actions at Chambers in the like manner and with the same effect as are now granted in term time, with the consent of all such adult parties as may have answered, or their attorneys, and of the guardians *ad litem* of infants therein.

Approved December 18th, A. D. 1891.

AN ACT TO AMEND SECTION 2236 OF THE GENERAL STATUTES OF No. 726.
THE STATE OF SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same. That Section 2236 of the General Statutes of this State as heretofore Gen. Stat., §2236, amended. amended be, and is hereby, amended so as to read as follows :

SECTION 2236. The Board of Jury Commissioners of each Jur. lists to be prepared. County shall, once in every year, during the month of January, prepare a list of such inhabitants of their respective Counties, not absolutely exempt, as they may think well qualified to serve as jurors, being persons of good moral character, of sound judg-

A. D. 1891.

Provide as to
Abbeville,
Charleston,
Orangeburg, and
Spartanburg.

ment, and free from all legal exceptions, which list shall include not less than one from every twenty voters, nor more than one from every ten voters, of their respective Counties, to be selected without regard to whether such persons live within seven miles or more than seven miles from the Court House; except that in the Counties of Abbeville, Spartanburg and Orangeburg the said list shall be prepared during the month of December: *Provided*, That in the County of Charleston the number of names to be placed on the list of inhabitants hereinbefore required shall not be less than one thousand, the name of each of which persons shall be placed in the jury box for the said County, in the manner provided for in the first paragraph of the Section next hereafter ensuing.

Approved December 24th, A. D. 1891.

No. 727. AN ACT TO AMEND SECTION 2240 OF THE GENERAL STATUTES OF SOUTH CAROLINA, RELATING TO THE EXEMPTION OF JURORS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2240 of the General Statutes of South Carolina be, and the same is hereby, amended by adding thereto at the end of said Section the words: "The superintending officer or agent of steamship lines, the keepers of steamship freight depots, and licensed pilots while actually employed."

Gen. Stat.,
2240, amended.
Additional
exemptions.

Approved December 24th, A. D. 1891.

AN ACT TO AMEND SECTION 2497 OF THE GENERAL STATUTES,
RELATING TO THE SETTING FIRE TO GRASS.

A. D. 1891.
No. 728.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2497 of the General Statutes be, and the same is hereby, amended so as to read as follows:

Gen. Stat.,
§2497, amended.

SECTION II. Whoever shall wilfully, maliciously or negligently set fire to or burn any grass, brush or other combustible matter, so as thereby any woods, fields, fences or marshes of any other person or persons be set on fire, or cause the same to be done, or be thereunto aiding or assisting, shall, upon conviction thereof, be punished by a fine of not less than five nor more than one hundred dollars, or imprisonment of not more than thirty days in the County jail, and shall moreover be liable to the action of any person or persons who may have sustained damage thereby: *Provided*, That no person or persons shall be prevented from firing woods, fields, lands or marshes within his own bounds, so that he suffer not the fire to get without the bounds of his lands and injure the woods, fences or grass of his neighbor or neighbors.

Punishment
for negligently
firing grass, &c.

Proviso as to
one's own premises.

Approved December 18th, A. D. 1891.

AN ACT TO AMEND SECTION II. OF AN ACT ENTITLED "AN ACT
TO LIMIT THE NUMBER OF TRIAL JUSTICES IN CERTAIN
COUNTIES OF THIS STATE, TO PROVIDE FOR FIXING THEIR
TERRITORIAL JURISDICTION, AND FOR THE MANNER AND
AMOUNT OF THEIR COMPENSATION," APPROVED DECEMBER
24TH, 1886.

No. 729.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section II. of an Act entitled "An Act to limit the number of Trial Justices in certain Counties of this State, to provide for fixing their territorial jurisdiction, and for the manner and amount of their compensation," be, and the same is hereby,

A. A. 1886, 19
Stat., 702, amended.

A. D. 1891. amended by adding the following proviso at the end of said
Section: *And further provided*, That in case of the sickness, ab-
sence, or temporary disability of any Trial Justice, the nearest
Trial Justice is hereby authorized to hear and determine any
cause that may arise within the jurisdiction of the Trial Justice
so absent, sick, or disabled as aforesaid.

Jurisdiction of
next nearest trial
justices.

Approved December 22nd, A. D. 1891.

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ACTS AND JOINT RESOLUTIONS

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF SOUTH CAROLINA,

*Passed at the Regular Session held in the City of Columbia in
November and December, 1891.*

PART II.

Special Acts and Joint Resolutions.

A. D. 1891.

AN ACT TO ENABLE WILLIAM AIKEN KELLY, JR., TO APPLY
FOR ADMISSION TO THE BAR. No. 730.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William Aiken Kelly, Jr., a minor, be, and hereby is, permitted to apply for admission to the bar, upon his graduation at the Law School of the South Carolina College with the degree of Bachelor of Laws, and the Supreme Court is hereby authorized, upon the proper motion being made, to admit the said William Aiken Kelly, Jr., to all the privileges granted by Section 2160 of the General Statutes of South Carolina to persons applying for permission to practise as attorneys at law.

Authorized to
be admitted on
graduation.

Approved December 22nd, A. D. 1891.

A. D. 1891. **AN ACT TO CANCEL THE MATRICULATION OBLIGATION OF J. W. PERRIN OF ABBEVILLE COUNTY TO THE BOARD OF VISITORS OF THE MILITARY ACADEMY OF SOUTH CAROLINA.**
 No. 731.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Released from his obligation. J. W. Perrin of Abbeville County be, and he is hereby, relieved of the matriculation obligation entered into by him to the Board of Visitors of the Military Academy, whereby he contracted with the Board to teach for the term of two years in the common schools of the State, and the said obligation is hereby cancelled and annulled in order to permit him to accept the position To accept professorship. of Professor in Clemson Agricultural College to which he has been elected.

Approved December 22nd, A. D. 1891.

No. 732. A JOINT RESOLUTION TO AUTHORIZE AND DIRECT THE COMPTROLLER GENERAL OF THIS STATE TO DRAW HIS WARRANT UPON THE STATE TREASURER IN FAVOR OF MASTIN ELMORE FOR THE SUM OF ONE HUNDRED DOLLARS.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Comp. Gen. to draw warrant. the Comptroller General of this State be, and he hereby is, authorized and directed to draw his warrant on the State Treasurer for the sum of one hundred dollars in favor of Mastin Elmore, a Confederate soldier of Laurens County, who lost one eye and was otherwise disabled from injuries received in the late war.

SEC. 2. That the State Treasurer do pay the said sum out of State Treasurer to pay. any funds in the Treasury not otherwise appropriated.

Approved December 22nd, A. D. 1891.

A JOINT RESOLUTION TO AUTHORIZE THE COMPTROLLER GENERAL TO DRAW HIS WARRANT IN FAVOR OF J. L. THOMPSON, M. D., FOR THREE HUNDRED AND THIRTY-TWO DOLLARS FOR EXTRA SERVICES AT THE STATE LUNATIC ASYLUM FROM THE TWENTY-FIRST DAY OF MAY TO THE FIFTEENTH DAY OF AUGUST, 1891.

A. D. 1891.

No. 733.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That *whereas*, during the period embraced between the twenty-first day of May, 1891, and the fifteenth day of August, 1891, there was no Superintendent of the State Lunatic Asylum on account of the removal of the former Superintendent, and extra duties and services necessarily devolved upon J. L. Thompson, the first assistant physician in said institution, to wit, the duties of Superintendent and first assistant physician, until a Superintendent was appointed on the day last named, to wit, the fifteenth day of August, 1891; that the Comptroller General be, and he is hereby, authorized to draw his warrant on the State Treasurer in favor of J. L. Thompson for the sum of three hundred and thirty-two dollars for extraservices rendered as Superintendent and first assistant physician at the State Lunatic Asylum between the twenty-first day of May, 1891, and the fifteenth day of August, 1891, while said institution was without a Superintendent.

Recital of services rendered.

Comp. Gen. to draw warrant.

Approved December 22nd, A. D. 1891.

A JOINT RESOLUTION TO AUTHORIZE THE COMPTROLLER GENERAL TO DRAW HIS WARRANT IN FAVOR OF L. G. CORBETT, M. D., FOR EXTRA SERVICES AT THE STATE LUNATIC ASYLUM FROM THE 21ST DAY OF MAY TO THE 15TH DAY OF AUGUST, 1891.

No. 734.

Whereas, during the period embraced between the 21st day of May, 1891, and the 15th day of August, 1891, there was no Superintendent of the State Lunatic Asylum, on account of the removal of the former Superintendent, and extra duties and services necessarily devolved upon L. G. Corbett, the second

Preamble.

A. D. 1891.

assistant physician in said institution, until a Superintendent was appointed on the day last named, to wit, the 15th day of August, 1891;

Comp. Gen.
to draw warrant.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller General be, and he is hereby, authorized to draw his warrant on the State Treasurer in favor of L. G. Corbett for the sum of one hundred dollars for extra services rendered as Second Assistant Physician at the State Lunatic Asylum between the 21st day of May, 1891, and the 15th day of August, 1891, while said institution was without a Superintendent.

Approved December 22nd, A. D. 1891.

No. 735. A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE GOVERNOR TO PAY OUT OF HIS CONTINGENT FUND THE PER DIEM AND EXPENSES OF T. H. HAYNE, THE AGENT APPOINTED TO SERVE THE REQUISITION PAPERS IN CASE OF THE STATE *vs.* EDWARDS.

Preamble,

Whereas, T. H. Hayne was, on the 12th day of September, 1890, appointed the agent of the State for the purpose of serving a requisition upon the Governor of Georgia and bringing the person therein named to this State, the case being entitled the State *vs.* Ned Edwards, charged with assault and battery with intent to kill, in the Court of General Sessions for Aiken County; and *whereas*, the services were rendered and the said defendant was delivered to the Sheriff of Aiken County on the 5th day of November, 1890, and the per diem and actual expenses incurred by the said T. H. Hayne amount to twenty-eight 05-100 dollars (\$28.05), which has not been paid; now,

Governor to
approve claim.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor, upon presentation of the account of T. H. Hayne, the agent appointed by the State in requisition proceedings in the case of the State *vs.* Ned Edwards, duly verified, amounting

to twenty-eight 05-100 dollars (\$28.05), shall approve the same, if correct, and shall endorse his approval thereon: and upon presentation of said account, so endorsed, to the Comptroller General, he shall draw his warrant on the State Treasurer for the amount thereof, payable out of the regular contingent fund of the Governor.

A. D. 1891.

Comp. Gen. to
draw warrant.

Approved December 23rd, A. D. 1891.

A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE No. 736.
CLERK OF THE SENATE TO ISSUE A PER DIEM CERTIFICATE TO H. A. GAILLARD FOR FIFTY-EIGHT DOLLARS, IN LIEU OF A LOST CERTIFICATE, AND TO REQUIRE THE STATE TREASURER TO PAY SAME ON PRESENTATION.

Whereas, during the session of the General Assembly of this State during the year 1889, H. A. Gaillard, the then Clerk of the Senate, advanced the per diem pay, to wit, fifty-eight dollars, to W. C. Wharton, one of the Pages of the Senate; and *Whereas*, the per diem certificate of said W. C. Wharton, after having been issued, was endorsed by him and sent through the mail addressed to the said H. A. Gaillard, and in transmission has been lost and has not been paid; therefore,

Preamble.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Clerk of the Senate be, and he is hereby, authorized and directed to issue a per diem certificate for the sum of fifty-eight dollars to H. A. Gaillard, in lieu of said certificate issued in 1889 to W. C. Wharton and since lost, and the State Treasurer is hereby authorized and required to pay said per diem certificate upon presentation, out of any funds not otherwise appropriated.

Clerk of Senate
to issue certificate.

State Treasurer to pay.

SEC. 2. That this Joint Resolution shall take effect immediately upon its approval.

When to
take effect.

Approved December 24th, A. D. 1891.

A. D. 1891.

No. 737.

AN ACT TO INCORPORATE THE WOLFE AND TYGER MINING COMPANY OF SOUTH CAROLINA.

	SECTION 1. <i>Be it enacted</i> by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That L. W. Jordan, D. A. P. Jordan, H. K. Sullivan, together with such other persons as are now or may be hereafter associated with them, shall be, and they are hereby, constituted and made a body politic and corporate, by the name and style of the Wolfe and Tyger Mining Company of South Carolina, and by that name and style the said corporation shall be, and is hereby, made capable in law to have, lease and purchase, enjoy and retain, to it and its successors, lands, rents, tenements, goods, chattels and effects of whatever kind and quality soever, and the same to sell, alien or dispose of; to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in Courts of record or any other legal tribunal; to have perpetual succession of officers and members; to make, have and use a common seal, and the same to break, alter and renew at pleasure; to ordain and put in execution such by-laws and regulations as may be necessary and convenient for the government of the said corporation.
Corporators.	
Incorporation and name.	
Corporate powers.	
By-laws.	
Capital stock.	SEC. 2. The capital stock of said corporation shall be two hundred thousand dollars, to be divided into shares of one hundred dollars each, and may be increased from time to time to a sum not exceeding two million dollars as may be necessary.
Mining and manufacturing rights.	SEC. 3. The said corporation shall have the right to dig and mine for iron, copper, gold, silver, coal or any other useful metal or mineral, and establish such works as may be deemed necessary for manufacturing and making copperas, sulphur, saltpetre, alum or similar articles of utility, and, when said corporation shall deem it necessary to the successful operation of its works, to construct a railroad, tramway, turnpike or common road of travel across the lands of others, or to divert any water course from its usual channel, or to enter upon lands intervening between any of its mines and the water power upon which the same are dependent, and to cut thereon a ditch, canal or tunnel, or to construct a flume or any other aqueduct, or to erect a dam for draining away the water and tailings of such mine or mines, or for any other purpose connected with the working of the same, the said corporation shall have the power and authority to acquire the right of way or condemn lands for any such rail-
Railroads, &c.	
Water rights.	
Rights of way.	

road, tramway, turnpike common road of travel, water course, ditch, canal, tunnel, flume, aqueduct or dam in the same manner as is now provided by law for the acquiring of rights of way or condemning lands by railroad corporations.

A. D. 1891.

SEC. 4. When said corporation is engaged in working a mine under a lease granted to them for that purpose, they shall be held and regarded as owners for all the purposes of this Act, and as such shall be entitled to avail themselves of the benefits and privileges conferred by this Act: *Provided*, That in no case shall water be drawn to the injury of any mill or factory in operation or process of erection.

Rights under
leases.

Proviso.

SEC. 5. If any person shall dig, or take, or carry away from the land or lands of said corporation, or erect or use any machinery for the purpose of securing any gold, bullion, silver or other metallic substance or other precious metal, with the intent to appropriate the same to his or her use without having previously obtained permission of said company so to do, he or she shall be guilty of a misdemeanor, and upon conviction punished as in such cases provided by law.

Removal of
minerals a misde-
meanor.

SEC. 6. If any person or persons shall unlawfully, wilfully and maliciously cut, break down, destroy, or in any manner hurt, damage, injure, obstruct, break down, or destroy any ditch or ditches, canal or canals, flume or flumes, dam or dams, tunnel or tunnels, made, constructed, erected or used to control or convey water to any mine or mines for mining purposes, or any appurtenances to such ditch or ditches, canal or canals, flume or flumes, dam or dams, tunnel or tunnels, belonging to or appertaining to said corporation, such person or persons so offending shall be liable to be indicted for a misdemeanor; and upon conviction thereof shall be fined or imprisoned, or both, at the discretion of the Court.

Malicious tres-
pass on property
of the company
made a misde-
meanor.

SEC. 7. All Acts or parts of Acts inconsistent with this Act are hereby repealed, and this Act shall be deemed and taken to be a public Act, and shall continue of force for the term of thirty years, beginning with the date of its approval.

Repealing
clause.

Public Act.

Duration.

Approved December 23rd, A. D. 1891.

A. D. 1891.

No. 738.

AN ACT TO INCORPORATE THE SOUTH CAROLINA LAND AND IMMIGRATION AGENCY.

Corporators.	<p>SECTION 1. <i>Be it enacted</i> by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Wade Hampton, F. A. Sale, Malcomb Johnstone, J. M. McClonohan, J. G. Hawthorne, W. H. Stewart, J. S. Verner, W. H. Timmerman, J. Q. Marshall, and John T. Sloan, Jr., and their associates and successors, are hereby made and constituted a body politic and corporate under the name and style of the "South Carolina Land and Immigration Agency," for the purpose of negotiating the sale of real estate, upon commission, buying and selling lands, and for the purpose of encouraging and inducing immigrants to settle in the State of South Carolina.</p>
Incorporation, name and purposes.	
Rights and powers.	<p>SEC. 2. That the said corporation shall have perpetual officers and members according to its by-laws, and shall have power to make rules and by-laws not repugnant to the laws of the land; and to have and to use a common seal and the same to alter at will; to sue and be sued; to plead and be impleaded in any Courts of said State; to have and to enjoy every right and power incident to such corporations, and it is hereby empowered to take, hold, retain, possess and enjoy all such property, real and personal, which may be given, bequeathed or devised to it, or may be acquired by purchase or in any other manner by said corporation.</p>
Property rights.	
Investments.	<p>SEC. 3. That the said corporation may from time to time invest its funds, money, assets and all other property which it may acquire in such real and personal property or securities or security as it may deem proper, and it shall and may be lawful for said corporation from time to time and at all times to sell, convey, mortgage, assign, or transfer any or all of its property, real and personal, and of every kind, and to make all necessary contracts; and it shall have power to borrow money and lend the same, and to issue bonds and pledge and mortgage its personal and real property for the redemption of the same.</p>
Contracts.	
Loans, bonds, and mortgages.	
Capital stock.	<p>SEC. 4. The capital stock of said corporation shall not be less than ten thousand nor more than one million of dollars, to be subscribed in shares of one hundred dollars each: <i>Provided</i>, That each subscriber shall have the right to pay his subscription to said capital stock in lands, at a negotiation to be agreed upon by said corporation and said subscriber.</p>
Liability of stock-holders.	<p>SEC. 5. Each stockholder in the said corporation, in addition</p>

to the loss of the sum paid upon the stock subscribed for or held by him, shall be jointly and severally liable to the creditors thereof in an amount not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditor was made: *Provided*, That such demand shall have been payable within one year; and the proceedings to hold such stockholders therefor shall be commenced within one year after such debt may have become due, and whilst he remains a stockholder therein, or within two years after he shall have ceased to be a stockholder.

A. D. 1891.

Proviso.

SEC. 6. Each stockholder in the said corporation shall have one vote for each share of the capital stock thereof he may own or represent at all elections and meetings thereof; and the said corporation shall have authority to make in its by-laws such regulations as may be deemed proper for representation by proxy of such stockholders as may be absent at the elections and meetings thereof.

Voting.

Proxies.

SEC. 7. That said corporation shall have full power and authority to form such agencies in each County of the State for the purpose of carrying on the operations of said corporation, and the said sub-agencies, when formed, shall be under the control and superintendency thereof; and the books of subscription to the capital stock of said corporation may be opened in each County of the State, under such rules as may be prescribed by its by-laws.

Agencies.

Books of
subscription.

SEC. 8. That this Act shall be deemed a public Act, and all Acts or parts of Acts inconsistent therewith be, and the same are hereby, repealed.

Public Act, re-
pealing clause.

Approved December 22nd, A. D. 1891.

AN ACT TO CHARTER THE AUGUSTA, AIKEN AND SUMTER RAILWAY COMPANY AND TO AUTHORIZE TOWNS AND CITIES INTERESTED IN AND ALONG THE LINE OF SAID ROAD TO SUBSCRIBE TO THE CAPITAL STOCK THEREOF, AND TO CREATE TOWNSHIPS THROUGH WHICH SAID ROAD RUNS BODIES POLITIC AND CORPORATE AND AUTHORIZE THEM TO SUBSCRIBE TO THE CAPITAL STOCK OF SAID ROAD.

No. 739.

SECTION 1. *Be it enacted* by the Senate and House of Repre-

<p>A. D. 1891.</p> <p>Incorporation.</p>	<p>representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That G. W. Croft, F. B. Henderson, B. F. Turner, J. G. Baynham, J. N. Blanchard and John Gary Evans and their associates and successors be, and are hereby, constituted a body politic and corporate, by the name and style of the Augusta, Aiken and Sumter Railway Company.</p>
<p>Route of railroad.</p>	<p>SEC. 2. That the said company be, and is hereby, authorized and empowered to construct, maintain and operate a railroad extending from a point on the Savannah River opposite or near the city of Augusta, Georgia, through the County of Aiken by the city of Aiken, through Orangeburg and Sumter Counties to the city of Sumter in this State.</p>
<p>Capital Stock.</p>	<p>SEC. 3. That the capital stock of said company shall be two hundred thousand dollars, in shares of one hundred dollars, with the privilege of increasing the capital stock to such an amount as may be found necessary to carry out the intention and purposes of this Act, and the shares may be transferable in such manner as the by-laws may direct: <i>Provided</i>, That</p>
<p>Organization.</p>	<p>when the sum of fifteen thousand dollars shall have been subscribed to the capital stock of said company as hereinafter directed, the said corporators or a majority of them shall, within a reasonable time thereafter, appoint a meeting of said stockholders, of which thirty days' notice shall be given in such newspaper of the State as they may deem necessary; at which time and place said stockholders may proceed to the organization of said company by the election of a President and nine Directors, who shall hold their offices for one year and until their successors are elected, which shall be the first Board of Directors, and which Board may, in their by-laws, prescribe the time and manner of holding their subsequent annual elections for President and Directors, subject to the approval of the stockholders at their ensuing annual meeting.</p>
<p>President and Directors.</p>	
<p>Representation of stock.</p>	<p>SEC. 4. That in all conventions of the stockholders of said company such city, town or township as may subscribe to the capital stock thereof may be represented by not less than three nor more than five delegates, who shall be chosen by a convention of the taxpayers of such city, town or township; private stockholders representing their own stock in person or by proxy duly executed.</p>
<p>Books of Subscription.</p>	<p>SEC. 5. That for the purpose of raising the capital stock of said company it shall be lawful to open books for private subscription at such times and places and under the direction of such</p>

persons as the said corporators may appoint ; and that said subscriptions to the capital stock may be made in money, bonds, lands, materials and work at such rates as may be agreed upon with said company ; and the said railroad company shall have power to mortgage its property and franchises and issue bonds on such terms and conditions and for such purposes and uses of said corporation as the said company may deem necessary.

A. D. 1891.

Character of
Subscriptions.Bonds and
Mortgages.

SEC. 6. That in addition to the provisions contained in the preceding Section for private subscriptions, it shall and may be lawful for any city, township or town interested in the construction of said road to subscribe to its capital stock such sum as a majority of their voters may authorize the proper authorities of such city, township or town to subscribe, which subscription shall be made in seven per cent. bonds, payable in such installments as the proper authorities of such city, township or town may determine, and to be received by the said company at par ; said bonds to be made payable twenty years after the date thereof, and to be denominated one hundred dollars, five hundred dollars and one thousand dollars ; and for the purposes of said subscription, issuing said bonds, and otherwise carrying out the provisions of said Act by any township as aforesaid, such townships as are interested in the construction of said road, and through which it runs or enters, are hereby created bodies politic and corporate, under their respective names, and are vested with all necessary powers to carry out the provisions of this Act, and may sue and be sued in respect of any rights or causes growing out of the provisions of this Act.

Municipal
Subscriptions.

How payable.

Description
of bonds.Incorporation
of townships.

SEC. 7. That for the purpose of determining the amount of said subscriptions it shall be the duty of the County Commissioners or the proper officer or officers having jurisdiction over townships in their stead, upon the written application of fifty qualified voters, who are taxpayers in any township, specifying the amount to be subscribed therein, to submit to the qualified electors of such township the question of subscription or no subscription to the capital stock of said company ; and said County Commissioners, or officer or officers taking their places, shall have power to order an election, specifying the time, place and purposes of the election, and to appoint three managers at each election precinct, who shall, without compensation, hold and conduct said election ; at which election the ballots shall have written or printed thereon either the word "subscription" or "no subscription ;" the County Commissioners, or officer or officers taking their place, having first fixed the amount proposed to be

Application for
election to deter-
mine township
subscription.

Election.

Managers.

- A. D. 1891.** subscribed, according to the request of the petitions submitted to them, notice of which shall be given by said County Commissioners, or officer or officers taking their place, in one or more of the newspapers published in the County in which said township is situate, for forty days next previous to the election.
- Notice of election.** And the proper corporate authorities of any city or town interested in or along the line of said road, upon the written petition of fifty voters in such city or town, shall, in like manner, and after like notice, submit the question to the qualified voters in said city or town, and declare the result as herein directed in case of township elections.
- Town or city Subscriptions.** SEC. 8. It shall be the duty of the managers to count the votes at the close of the election and make returns to the proper officer or officers of townships, towns or cities, who shall tabulate the vote and declare the result of the election.
- Township subscription to be made.** SEC. 9. In case the majority of the ballots cast shall have written or printed thereon "Subscription," then the County Commissioners, or officer or officers having jurisdiction over townships in their stead, in all cases of township elections, shall be authorized and required to subscribe to the capital stock of said company in behalf of said townships the sum which may have been fixed and named by said officer or officers as heretofore provided, which subscription shall be made in seven per cent. bonds as aforesaid, with interest payable semi-annually; but in all subscriptions made under the direction of a township election, as authorized by this Act, it shall be so expressed in the bonds and coupons issued in payment of such subscription under the provisions of this Act; and all tax levies for the purpose of raising funds to pay the said bonds or coupons shall be made only upon the taxable property in said township; and if a majority of the ballots cast in any city or town election shall be for subscription, the proper corporate authorities of such city or town are authorized and required to subscribe in behalf of such city or town in like manner as the County Commissioners, or officer or officers taking their place, are herein required for townships in cases of township subscriptions.
- Declaration on face of bonds.** SEC. 10. That for the payment of interest on said bonds the County Auditor or other officer discharging such duties, or the City or Town Treasurer, as the case may be, shall be authorized and required to assess annually upon the property in such city, town or township such per centum as may be necessary to pay said interest, which shall be known and styled in the tax books as said railroad tax, which shall be collected by the
- Tax levies.**
- Town or city subscriptions to be made.**
- Assessments to pay interest.**
- R. R. tax.**

Treasurer under the same regulations provided by law for the collection of other taxes for State, County, city or town purposes, and which shall be paid over by the said Treasurer to the holders of said bonds as the said interest shall become due: *Provided*, That within ten years of the time said bonds shall fall due the money to pay the same shall be raised by taxation in the same manner and paid out by the County or City or Town Treasurer as provided above for the payment of the annual interest.

A. D. 1891.

Collection and
payment.Tax to pay
principal.

SEC. 11. That in collecting said taxes the County, City or Town Treasurer shall deliver to the taxpayer a special receipt therefor, which shall express that the amount stated therein is the tax for said railroad. And when any person, a holder of such receipt, issued in his own name or in that of another person, and duly transferred to such holder by the endorsement thereon of the name of the person to whom the same was issued, shall present an amount thereof to the President of the said company equal to one share of the stock of said company, the said President shall cause to be issued to the holder of said receipt one share of stock, and such person shall be a stockholder in said company from the date of the scrip for such stock so issued as aforesaid, and like proceedings and rights and liabilities shall be had and attach to any person who may present such tax receipts amounting to more than one share, provided that said scrip shall not issue for any fractional part of a share.

Exchange of
stock for re-
ceipts.

SEC. 12. That said railroad company shall have every right, privilege and power necessary for the purpose of acquiring such lands or rights of way as they may require for the location or construction of said railroad, or for the erection or location of depots, warehouses, stations and other necessary establishments, or for extending or altering the same; and the said railroad company shall have full power and authority to connect with, or cross over, all other railroads on its proposed line, and also to unite or consolidate with other railroads, either in or out of this State, in such manner and upon such terms as may be agreed upon between the companies so consolidating: *Provided*, The same be not inconsistent with the laws of this State; and the said company shall have the benefit of every process or proceeding and shall be subject to all the restrictions provided or imposed in and by the laws of this State.

Rights of con-
demnation.Rights as to
other roads.Other rights
and restrictions.

SEC. 13. That this Act shall be a public Act, to take effect on and after its passage: *Provided*, That this charter shall cease and determine unless the construction of said railroad is com-

Public Act.

When to take
effect.

Limitation.

A. D. 1891. menced on or before the first day of January, eighteen hundred and ninety-five.

Approved December 24th, A. D. 1891.

No. 740. AN ACT TO CONFIRM AND VALIDATE THE CONSOLIDATION OF THE BENNETTSVILLE AND CHERAW RAILROAD COMPANY WITH THE CHARLESTON, SUMTER AND NORTHERN RAILROAD COMPANY.

Consolidation
confirmed.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the agreement entered into by and between the Bennettsville and Cheraw Railroad Company and the Charleston, Sumter and Northern Railroad Company on the first day of September, A. D. 1890, to consolidate and form one company in this State, to be known as the Charleston, Sumter and Northern Railroad Company, be, and the same is hereby, confirmed and validated.

When to take
effect.
Repealing
clause.

SEC. 2. That this Act shall take effect immediately upon its approval, and all other Acts or parts of Acts repugnant to this Act are hereby repealed.

Approved December 22nd, A. D. 1891.

No. 741. AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO INCORPORATE THE BENNETTSVILLE AND HAMLET RAILROAD COMPANY," AND AN ACT TO AMEND SAID ACT.

A. A. 1878, 16
Stat., 737, re-
pealed.
A. A. 1882, 17
Stat., 928, re-
pealed.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the Bennettsville and Hamlet Railroad Company," approved December 23rd, 1878, and also an Act entitled "An Act to amend an Act to incorpo-

ate the Bennettsville and Hamlet Railroad Company," approved February 9th, 1882, be, and the same are hereby, repealed. A. D. 1891.

Approved December 22nd, A. D. 1891.

AN ACT TO AUTHORIZE THE BISHOPVILLE RAILROAD COMPANY No. 742.
TO CHANGE ITS NAME TO THE SOUTH AND NORTH CAROLINA
RAILROAD COMPANY, AND TO EXTEND ITS ROAD.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Bishopville Railroad Company be, and the same is hereby, authorized and empowered to change its name to the South and North Carolina Railroad Company, and under such name shall have and enjoy all the rights, privileges and franchises heretofore granted the said Bishopville Railroad Company. Change of name.
See 18 Stat.,
52, for charter.

SEC. 2. That the said railroad company is hereby authorized and empowered to extend its railroad from its present terminus in Kershaw County in a general north or northwesterly direction as far as the North Carolina State line, by such route as shall be found most suitable and advantageous by the said company after the necessary surveys shall have been made; and also to extend its said railroad from Atkins, on the Wilmington, Columbia and Augusta Railroad, in a south or southeasterly direction, as far as some point on the Northeastern Railroad or the Central Railroad of South Carolina, by such route as shall be found most suitable and advantageous by the said company after the necessary surveys shall have been made. Extension of
road.

SEC. 3. That this Act be deemed a public Act, and shall take effect from and after its approval by the Governor. Public Act,
when to take
effect.

Approved December 16th, A. D. 1891.

A. D. 1891. **AN ACT TO AMEND THE CHARTER OF THE "CAPE FEAR AND CINCINNATI RAILWAY COMPANY," FORMERLY KNOWN AS THE "ATLANTIC, ASHEVILLE AND KNOXVILLE RAILWAY COMPANY," AND TO VALIDATE ITS PRESENT ORGANIZATION.**

No. 743.

Proviso to Sec.
3 of A. A. 1889,
ante 387, amended.

Time allowed
for construction.

Branch road.

Officers
confirmed.

Acts valid.
Annual
elections.

When to
take effect.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the *proviso* of Section 3 of an Act entitled "An Act to change the name of the 'Camden, Chester and Gaffney City Railroad Company' to the 'Atlantic, Asheville and Knoxville Railway Company,' and to amend the same," approved December 24th, 1889, and Acts amending the same, requiring work to be commenced on said railroad within two years from the date of its charter, be, and the same is hereby, amended so that said *proviso* of said Section of said Act shall read, when so amended, as follows: *Provided*, That work upon said railroad shall commence by the first day of January, A. D. 1894, and be completed within six years: *Provided, however*, That said company may begin the construction of said line of said railroad between any of said points and to operate the same and may also build and operate a branch railroad from Gaffney City, S. C., to any point on the Savannah River.

SEC. 2. That the present officers and directors of said company, elected under the former name of the "Atlantic, Asheville and Knoxville Railway Company," are hereby declared to be the legal officers of said company, and said officers shall serve for twelve months from the date of the ratification of this Act, and until their successors in office are elected; and all their acts as officers of said company shall be valid; and after the expiration of said twelve months the officers and directors of said company shall be elected annually, at the annual meetings of the stockholders, notice of which shall be published for 30 days in one or more newspapers published in the Towns of Chester and Gaffney City, whose terms of office shall be for one year and until their successors in office are elected.

SEC. 3. That this Act shall take effect immediately upon its approval,

Approved December 24th, A. D. 1891.

AN ACT TO AMEND AND EXTEND THE CHARTER OF THE CAROLINA
MIDLAND RAILWAY COMPANY, FORMED BY THE CONSOLIDA-
TION OF THE BLACKVILLE, ALSTON AND NEWBERRY RAILROAD
COMPANY AND THE BARNWELL RAILWAY COMPANY.

A. D. 1891.

No. 744.

Whereas, By an Act, approved the twenty-first day of December, in the year eighteen hundred and eighty-two, the Barnwell Railway Company was incorporated. *And, whereas*, by an Act, approved the twenty-fourth day of December, in the year eighteen hundred and eighty-five, the Blackville and Alston Railroad Company was incorporated. *And whereas*, by an Act approved the twenty-second day of December, in the year eighteen hundred and eighty-six, the name of the said last mentioned company was changed to the Blackville, Alston and Newberry Railroad Company, and the charter thereof in other particulars amended. *And whereas*, by an Act, approved the twenty-second day of December, in the year eighteen hundred and eighty-seven, the charter of the said last mentioned company was further amended. *And whereas*, under the provisions of law in such cases made and provided, the said The Barnwell Railway Company and the said The Blackville, Alston and Newberry Railroad Company were consolidated, as appears by the articles of consolidation filed in the office of the Secretary of State on the eleventh day of May, 1891.

Preamble.

18 Stat., 107.

19 Stat., 215.

19 Stat., 488.

19 Stat., 890.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the consolidation of the Barnwell Railway Company and the Blackville, Alston, and Newberry Railroad Company into one company, under the corporate name of the Carolina Midland Railway Company, be, and the same is hereby, confirmed, and that the Carolina Midland Railway Company be and shall continue a body politic and corporate during the period by this Act hereinafter prescribed. That all the corporate acts of the said company since its consolidation be confirmed.

Consolidation confirmed.

Acts confirmed.

SEC. 2. That the said Carolina Midland Railway company be, and it is hereby, authorized and empowered to operate and maintain its present railroad, extending from the town of Allendale, in the County of Barnwell, by or through the town of Blackville, in Barnwell County, to the town of Sievern, in Aiken County. That the said company, in addition to the right to construct, maintain, and operate a railroad along the route now prescribed by the respective charters of the Barnwell Railway

Operation of present road.

Other routes and extensions.

A. D. 1891.	<p>Company and the Blackville, Alston, and Newberry Railroad Company, shall further have the right to construct, maintain, and operate a railroad from the said town of Sievern, along the most practicable route, to be selected by the said Company, to the town of Greenwood, in Abbeville County, or some point in its vicinity, and from the town of Barnwell to the Savannah River, and from the town of Barnwell to tide water, by such route as the said corporation may select, and with the right to construct, maintain, and operate all turnouts, side-tracks, and branch roads, as the said corporation shall deem necessary.</p>
Turnouts, &c.	
Proviso.	<p><i>Provided</i>, That the said line of road shall not be constructed within three miles of an air line from the town of Barnwell to the City of Charleston, except within three miles from the town of Barnwell, and within nine miles from the City of Charleston.</p>
Capital stock.	<p>SEC. 3. That the capital stock of the said Carolina Midland Railway Company, now consisting of five thousand four hundred shares of the par value of one hundred dollars each, as now owned by the person or persons, corporation or corporations, constituting its present stockholders, shall continue as the capital stock of the said company, unless the same shall be increased as hereinafter provided. That the said company shall</p>
Increase.	<p>have the privilege of increasing from time to time, and at any time or times, the said capital stock, to such amount as may be deemed necessary by said corporation: <i>Provided</i>, The capital</p>
Limit.	<p>stock of said company shall at no time exceed three million of dollars at par; that each stockholder shall be entitled to one vote at all corporate meetings for every share of stock held by such stockholder; and the present or any future shares of stock shall be issued, transferred, and may be voted by proxy, in such manner as may be prescribed by the by-laws of the corporation.</p>
Voting by stockholders.	
By-laws.	<p>SEC. 4. The said corporation may make such by-laws for its regulation and government in any and all matters whatsoever, not inconsistent with the constitution and laws of this State, as may be deemed necessary, and may add to, alter or amend the same from time to time, as may be desired; may appoint all</p>
Officers.	<p>necessary officers and prescribe their duties; may sue and be</p>
Powers.	<p>sued, plead and be impleaded, in any Court in this State or in</p>
Property rights.	<p>the United States; and may accept, purchase, hold, lease or otherwise acquire any property, real or personal, necessary or convenient to and for the purposes of the corporation, and may</p>
Other rights.	<p>use, sell, and convey, and dispose of the same as the interest of the company may require; may make contracts, have and use a</p>

common seal, and do all other lawful acts properly incident to and connected with such corporation and necessary and convenient for the control and transaction of its business.

A. D. 1891.

SEC. 5. That whenever any increase of the capital stock of the said company shall be made, for the purposes of accomplishing the same, books of subscription may be opened at such times and places and in such manner and under the direction of such persons as the corporation or the Board of Directors under its authority may appoint, and such subscriptions for such increased capital stock may be made in land, money, bonds, machinery, materials and work, or some or either thereof, at such rates as may be agreed upon with the company, and the said increase shall be completed as prescribed by the said corporation. That if any subscriber or subscribers shall fail to pay his, her or their subscription or any instalment or assessment thereof within one month after the call for the same shall have been advertised in one or more newspapers published in the counties through which the road shall pass, or within one month after written notice of such call to any such subscriber, it shall and may be lawful for the Treasurer, by order of the President and Board of Directors, or a majority of them, after notice by advertisement in some newspaper published in the County of Barnwell once a week for three weeks previous to the day of sale, to sell at public auction in the town of Blackville such share or shares of such subscriber or subscribers as may be necessary to pay such subscription or such instalment or assessment and the expenses of advertisement and sale, with the right to the company to sue for any deficiency between the net proceeds of such sale and the amount due, and a bill of sale by the Treasurer of said company shall transfer such share or shares to the purchaser or purchasers and entitle him or them to a certificate thereof and all rights to the same. But nothing contained herein shall prevent the collection of any subscription or assessment or instalment thereof by suit without such sale.

Subscriptions
to increase of
stock.

Failure to pay
subscriptions.

Sale of shares.

Deficiency.

SEC. 6. The said railway company shall have every right, power and privilege necessary for the purpose of acquiring such lands or rights of way as they may require for the location or construction of said railway, or for the erection or location of depots, warehouses, stations and other necessary and convenient establishments, or for extending or altering the same, and shall have the benefit of every process or proceeding, and shall be

Rights of way.

A. D. 1891.

subject to all the restrictions which shall or may be provided or imposed by the laws of the State.

Rights of connecting, purchasing, and leasing.

SEC. 7. The said company shall have full power and authority to connect with or cross any other railroad or railroads on its proposed line, and also to purchase or lease from any other railroad or railway corporation or corporations any or all of its real and personal property, privileges and franchises, with power also to sell, lease, or otherwise dispose of all or any of its property, real and personal, and its privileges and franchises, to such other railroad or railway corporation or corporations, or consolidate with any other railroad or railway corporation or corporations in or out of this State, in such manner and upon such terms as may be agreed between such railroad companies: *Provided*, That the same be not inconsistent with the laws of this State.

Power to sell, &c.

May operate completed sections.

SEC. 8. The said company shall be further authorized and empowered forthwith, upon the completion, or acquirement by purchase, lease or consolidation, of any portion or section of said railroad between any points through which the same may run under its charter, to operate and maintain such portion and section, with all the rights, powers, and privileges hereby granted to the company.

Liability of stockholders.

SEC. 9. Every stockholder in said corporation shall be jointly and severally liable to the creditors thereof in an amount beside the value of his share or shares therein not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditor was created: *Provided*, That such demand shall have been payable within one year: *Provided*, also, That proceedings to hold such stockholder liable therefor shall be commenced whilst he remains a stockholder therein, or within two years after he shall have ceased to be such stockholder: *Provided*, further, That persons holding stock in such company as executors, administrators, or by way of collateral security, shall not be personally subject to the liabilities of the stockholders under the foregoing provisions, but the persons pledging such stock shall be liable as a stockholder, and the estates and funds in the hands of such executors or administrators shall be liable in their hands in the like manner and to the same extent as the deceased testator or intestate, or the ward or person interested in such trust fund, would have been if they had respectively been living and competent to act and hold the stock in their own hands.

Provisions.

Trustees.

Bonds.

SEC. 10. That said company shall have power from time to

time to make and issue bonds bearing such rate of interest, not exceeding seven per cent. per annum, payable at such times and places and in such amounts as it may deem expedient, and to sell and dispose of such bonds at such prices and in such manner as it may deem proper, and to secure the payment of such bonds by its mortgage or mortgages or deed or deeds of trust of its railroad or any part thereof, and its real and personal property or any part thereof, and its franchises, or either, and all of the property and franchises of such corporation embraced or intended to be embraced in any such mortgage or deed of trust, whether then held or thereafter acquired, shall be subject to the lien and operation of such mortgage or deed of trust, and in case of sale under the same shall pass to and become vested in the purchaser or purchasers thereof.

A. D. 1891.

Mortgages.

SEC. 11. The said corporation shall be subject to the duties, liabilities, restrictions and other provisions contained in General Statutes, Chapter XL, "Of Railroad Corporations, General Railroad Law," one thousand eight hundred and eighty-one, with all the amendments which have been or may hereafter be made thereto.

Subject to general railroad law.

SEC. 12. This Act shall be deemed and taken as a public Act, and shall continue in force for forty years, and that Section fifteen (15) of the Act to amend the charter of the Blackville, Alston and Newberry Railroad Company, approved the twenty-third day of December, A. D. 1887, and any Act or part or parts of any Act inconsistent with the same, be, and the same are hereby, repealed: *Provided*, Nothing herein contained shall be construed to exempt the said company from the operation of Section 1361 of the General Statutes, relating to the amendment and repeal of charters.

Public Act.
Duration.

A. A. 1887, §15,
19 Stat., 901, re-
pealed.

Subject to
amendment and
repeal.

SEC. 13. Unless the work of constructing said extension be commenced within three years, this Act shall be of no force and effect.

Extension to
be commenced
within 3 years.

Approved December 22nd, A. D. 1891.

A. D. 1891.

No. 745.

AN ACT TO INCORPORATE THE CATAWBA FALLS RAILROAD COMPANY.

- SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
- Corporators.** F. H. Barber, S. J. Lewis, I. N. Whiteside, J. T. Marion, S. T. Anderson, P. L. Hardin, O. Barber, W. A. Barber, James Gayden, W. P. McCullough, J. C. Jordan and W. A. Drennan and their associates and successors be, and they are hereby, constituted a body politic and corporate, by the name and style of the Catawba Falls Railroad Company.
- Incorporation and name.** **SEC. 2.** That the said company shall have power and authority to build, construct and operate a railroad, beginning at Catawba Junction, via Bascomville, to Catawba Falls, or as near as may be deemed expedient; to acquire by purchase or otherwise, and to hold, own, possess and sell, or otherwise transfer, real and personal estate; to sue and be sued, implead and be impleaded, and to have and exercise all and every other power, authority, privilege and right common or necessary to similar corporations, not inconsistent with the laws of this State or the provisions of this Act.
- Power, to construct road.**
- Other rights.**
- Directors.** **SEC. 3.** That the said corporators shall be *ex officio* directors of said company, with the usual powers and privileges, including the power to fill vacancies in their body, should any occur, until said company is fully organized.
- Capital stock.** **SEC. 4.** That the capital stock of said company shall be two hundred thousand dollars (\$200,000), and for the purpose of raising the same the said corporators, or a majority of the same, are hereby authorized and empowered, as soon after the passage of this Act as may be deemed advisable, to appoint commissioners to open books of subscription at such times and places and under such rules and regulations as may be prescribed; the capital stock of said corporation to be divided into shares of one hundred dollars each, and the subscription thereto to be received payable in money, land, labor, material necessary in construction or equipment of said railroad, bonds, stock or other valuable credits, in such manner and on such terms as may be agreed upon between the said company and such subscribers.
- Books of subscription.**
- Shares of stock.**
- Rights as to other roads.** **SEC. 5.** That said company shall have full power and authority to connect with or cross over all other railroads on its proposed line, and also to unite or consolidate with other railroads,

either in or out of this State, in such manner and upon such terms as may be agreed upon between the companies so consolidating: *Provided*, The same be not inconsistent with the laws of this State.

A. D. 1891.

SEC. 6. That as soon as the sum of ten thousand (\$10,000) dollars is subscribed, the corporators aforesaid, or a majority of them, shall, by advertisement once a week for three weeks in one or all the papers published in the County, call a meeting of the stockholders, to be held at some convenient place on the proposed line of said railroad one month after the date of said notice, for the purpose of organizing said company; and the said stockholders shall then and thereafter have power to organize said company by electing from among their number seven (7) directors, who shall immediately after their election choose one of their number for President and one for Vice President of said company, and the terms of office of President, Vice President and directors of said company shall be one year, and until their successors shall thereafter be elected, but no one shall be eligible to the office of director unless he owns not less than two shares in the capital stock of said company, or unless he be one of a firm owning as many times two shares as there are members in the firm.

Organization.

Directors.

President and Vice-President.

SEC. 7. It shall be the duty of the President and directors of said railroad company and all officers of the same to render an account of the affairs of the same to the stockholders at least once a year, and as often as they may be required by said stockholders, and the same shall be published in one or more news papers in this State.

Annual accounts.

To be published.

SEC. 8. That the President and directors shall not have power to contract any debt for said company until they shall have been first authorized by the stockholders of said company in general meeting, except such as are necessary for operating expenses.

Contracting of debts.

SEC. 9. That said railroad company shall be subject to all the provisions of the General Railroad Laws of this State as to the manner of acquiring rights of way, also shall have all the rights, powers and privileges, and be subject to all of the provisions, restrictions and liabilities, contained in an Act entitled "An Act to provide for and regulate the incorporation of railroad companies in this State," approved December 23d, A. D. 1885, except as the same may be ratified by this Act.

Rights of way.

Subject to rights and limitations of A. A. 1885, 19 Stat., 171.

SEC. 10. That the said company shall be organized and the construction of said railroad commenced and at least three miles

Limitation of time.

A. D. 1891. of said railroad line built within five (5) years from the passage of this Act, otherwise the charter to be null and void.

Approved December 11th, A. D. 1891.

No. 746. AN ACT TO INCORPORATE THE CHARLESTON, BATESBURG, AND WESTERN RAILROAD COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the formation of a corporate company is hereby authorized for the construction and operation of a railroad from Batesburg through Lexington, Aiken, Edgefield, and Newberry Counties, to such point on the Barnwell, Alston, and Newberry Railroad as the company when formed may determine upon, with the privilege, when the company shall see fit, to extend its line to Charleston, S. C., which it, when formed, may determine upon; which said company shall have the right to construct and operate such railroad or any portion or section thereof.

SEC. 2. That this charter, with its rights and privileges incident thereto, is hereby granted to John H. Huiet, U. X. Gunter, T. J. Kernaghan, N. A. Bates, Andrew B. Watson, W. B. Plunkett, L. D. Cullum, and such other persons or corporations as may be associated with them, and their successors and assigns; and that the said company shall have all the rights, powers, and privileges, and be subject to all liabilities, provisions, and limitations set forth in an Act entitled "An Act to provide for and regulate the incorporation of railroad companies in this State," approved December 23d, 1885.

SEC. 3. That the name of the said company shall be the Charleston, Batesburg, and Western Railroad Company.

SEC. 4. That the capital stock of said company shall be one hundred thousand dollars, in shares of one hundred dollars each, with privilege of increasing such capital stock in such amounts as the said company from time to time may, by a majority vote of its stockholders, determine to carry out the purposes of this Act: *Provided*, That the said capital stock shall at no time exceed the sum of five million dollars.

SEC. 5. That when the sum of five thousand dollars shall have been subscribed to the capital stock of said company, the said corporators, or a majority of them, shall, within a reasonable time thereafter, appoint a time and place for a meeting of said stockholders, of which fifteen days' notice shall be given in such newspapers of this State as they deem necessary, at which time and place the said stockholders may proceed to the organization of said company by the election of not less than three nor more than thirteen Directors, as the by-laws to be adopted may determine, which said Directors shall elect one of their number to be the President of the said company. The said Board of Directors and the said President so elected shall hold their offices for one year and until their successors be elected.

A. D. 1891.
Organization.

Notice.

President and Directors.

Term of office.

SEC. 6. That any lease, transfer, or consolidation of the company hereby incorporated, shall be submitted to a meeting of the stockholders and be ratified by a majority of the said stockholders before the same shall be legal or binding.

Leases, &c., to be approved by stockholders.

SEC. 7. That the said company shall have power, if need be, to conduct their railroad across and over any public road, river, creek, water, or water courses that may be in their route: *Provided*, That the passage of the roads or the navigation of the waters be not obstructed thereby.

Crossing of roads and streams.

SEC. 8. That the said railroad company be, and they are hereby, authorized and empowered, by and with the consent of the Council of any towns or cities through which they may pass, or at which their road may terminate, to construct their tracks through one or more of the public streets or ways of such towns or cities, and to extend the same to any or all of the wharves or landings in such towns or cities: *Provided*, That in such construction and extension all necessary precaution in extending the work be taken not to obstruct or otherwise impair the use of any street or public way through which the said railroad may be constructed or extended.

Tracks through streets and to wharves.

Proviso.

SEC. 9. That the said railroad company shall have the right, and they are hereby authorized and empowered, to construct and operate branch roads from their main line whenever in their judgment it is their interest to do so.

Branch roads.

SEC. 10. That the said railroad company is further authorized and empowered forthwith, upon the completion, or acquirement by purchase, lease, or consolidation, as hereinbefore provided, of any portion or section of said railroad between any point through which the same may run under this charter, to operate

Operation of completed sections.

A. D. 1891.

and maintain such portion or section, with all the rights, powers and privileges hereby granted to said company.

Right of way.

SEC. 11. That said railroad company may have the right to take for its right of way one hundred feet on each side of the centre of their road bed.

Payment at
time of subscrib-
ing.

SEC. 12. No subscription to the capital stock of said company shall be valid unless the sum of one dollar per share be paid thereon at the time of the subscribing.

Defaulting
stockholders.

SEC. 13. If any stockholder shall fail to pay the instalment required of him on his share or shares by the President and Directors, or a majority of them, within one month after the call for the same has been made and advertised in one or more of the papers published in this State, it shall and may be law-

Sale of shares.

ful for the President and Directors, or a majority of them, to sell at public auction and convey to the purchasers the share or shares of such stockholders so failing or refusing to pay, giving twenty days' notice of the time and place of such sale; and

Disposition of
proceeds.

after retaining the sums due and all expenses incident to the sale, shall pay the surplus to the former owner or his legal rep-

Rights of pur-
chaser.

resentative; and any purchaser of the stock of the company under the sale of the President and Directors as aforesaid shall be subject to the same rules and regulations as the original proprietor.

Public Act.

SEC. 14. That this Act shall be held and deemed a public Act, and the rights, powers and privileges conferred by this Act shall vest and continue in the said company and their successors for and during the term of forty (40) years, to be computed from the time of the approval of this Act.

Duration of
charter.

Time for con-
struction lim-
ited.

SEC. 15. That the construction of said railroad shall be begun within two years from the passage of this Act, otherwise the same shall have no force and effect.

Approved December 5th, A. D. 1891.

AN ACT TO INCORPORATE THE CHARLESTON, COLLETON AND
BERKELEY RAILROAD COMPANY.

A. D. 1891.

No. 747.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Charles E. Kimball, Clarence S. Nettles, Archie N. Martin, Samuel J. Pregnall, A. Ames Howlett, J. H. Averill and Charles O. Thompson, and such other persons or corporations as may be associated with them, and their successors and assigns, be, and they are hereby, created a body politic and corporate, by the name and style of the Charleston, Colleton and Berkeley Railroad Company, and by that name may sue and be sued, plead and be impleaded, in any Court of law or equity in this State or in the United States; may make by-laws and appoint all necessary officers and prescribe their duties; and may accept, purchase, hold, lease or otherwise acquire any property, real or personal, necessary or convenient to and for the purposes hereinafter mentioned, and to use, sell and convey and dispose of the same as the interests of the said company requires; may make contracts, and have and use a common seal, and do all other lawful acts properly incident to and connected with said corporation, and necessary and convenient for the control and protection of its business: *Provided*, That the said company shall be subject to all liabilities, provisions and limitations set forth in an Act entitled "An Act to provide for and regulate the incorporation of railroad companies in the State," approved December 23, 1885.

Corporators.

Incorporation
and name.

Powers.

Property rights.

Contracts and
other acts.Rights and
limitations.

19 Stat., 171.

Route of road.

Capital stock.

Organization.

SEC. 2. That the said company be, and is hereby, authorized and empowered to construct, maintain and operate a railroad with one or more tracks, as it may deem best, extending from Eutawville, or some point on the Charleston, Sumter and Northern Railroad, through the Counties of Berkeley, Colleton and Charleston, to the city of Charleston, by the most practicable route, as the said company may determine.

SEC. 3. That the capital stock of the said company shall be twelve thousand dollars per mile, in shares of one hundred dollars each. That when the sum of ten thousand dollars shall have been subscribed to the said capital stock of said company, the said corporators, or a majority of them, shall within a reasonable time thereafter appoint a time and place for the meeting of said stockholders, of which ten days' notice shall be given in such newspapers of the State as they may deem necessary, at which time

- A. D. 1891.** and place the said stockholders may proceed to the organization of said company by the election of a President and as many directors as they may deem proper, who shall constitute the first Board of Directors, and shall hold their offices for one year and until their successors are elected.
- President and Directors.**
- Books of subscription.** SEC. 4. That for the purpose of raising the capital stock of the said company hereby incorporated, it shall be lawful to open books of subscription at such times and places and under the direction of such persons as the said corporators or a majority of them may appoint, and the said subscription to said capital stock may be made in lands, money, bonds, machinery, materials and work, at such rates as may be agreed upon with said company.
- How payable.**
- Rights of condemnation.** SEC. 5. That the said railroad company shall have every right, power and privilege necessary for the purpose of acquiring, by condemnation or otherwise, such lands or rights of way as they may require for the location or construction of said railroad, or for the erection or location of depots, warehouses, stations, wharves and other necessary and convenient establishments, or for extending or altering the same; and the said company shall, for the purpose of carrying into effect each and every of the provisions of this Section, have the benefit of every process or proceeding, and shall be subject to all the restrictions, provided or imposed by the laws of the State by and under which railroad corporations are authorized to acquire lands for the purpose of rights of way.
- Proceedings to obtain right of way.**
- Rights as to other roads.** SEC. 6. That the said company shall have full power and authority to connect with or cross any other railroad or railroads on its proposed line, and also to purchase, lease or consolidate with any other railroad or railroads, or to merge and consolidate its capital stock, estate, real, personal and mixed, franchises, rights, privileges and property with any other railroad company or companies chartered by and organized under the laws of this or any other State: *Provided*, That the same be not inconsistent with the laws of this State.
- Proviso.**
- Right to erect wharves and other structures.** SEC. 7. That the said Charleston, Colleton and Berkeley Railroad Company is hereby authorized and empowered to erect and construct at any point in the city of Charleston, or elsewhere, on such lands as it may own or acquire, wharves, piers, docks, basins, warehouses, elevators and cotton presses, together with the approaches thereto, suitable for the accommodation of steamships, vessels and boats, and for the convenient loading, unloading, shipping, receiving, storing and warehousing of all

kinds of merchandise and personal property, and may conduct the business usually conducted by warehousemen, wharfingers and lightermen, and may charge and collect compensation for storage, dockage, wharfage, lighterage and all labor incident thereto, including the expense of weighing, insuring, storing and delivering such merchandise.

A. D. 1891.

May act as warehouse men, &c.

SEC. 8. That the said Charleston, Colleton and Berkeley Railroad Comany is hereby authorized and empowered to construct, equip, purchase, charter, own and navigate vessels propelled by steam or other motive power, and to use the same in the transportation of merchandise, passengers and mails between any port or ports of this State and any other port or ports of the United States or elsewhere.

Vessels.

Transportation.

SEC. 9. Each stockholder in the said corporation shall be jointly and severally liable to the creditors thereof in an amount, besides the value of his share or shares therein, not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditor was created: *Provided*, That such demand shall have been made payable within one year: *Provided, also*, That proceedings to hold such stockholders liable therefor shall be commenced whilst he remains a stockholder therein, or within two years after he shall have ceased to be such stockholder; *Provided, further*, That persons holding stock in such company as executors, administrators, or by way of collateral security, shall not be personally subject to the liabilities of the stockholders under the foregoing provisions, but the person pledging such stock shall be liable as a stockholder; and the estate and funds in the hands of such executors and administrators shall be liable in their hands in like manner and to the same extent as the deceased testator or intestate, or the ward or persons interested in such trust fund, would have been if they had respectively been living and competent to act and hold the stock in their own name.

Liability of stockholders.

Provisions.

Trustees.

SEC. 10. That the said company shall have power, if need be, to conduct their railroad along or across any public road, river, creek, water or water courses that may be in their route: *Provided*, That the passage of the roads or the navigation of the waters be not obstructed thereby.

Crossing of roads and streams.

SEC. 11. That the said railroad company be, and the same is hereby, authorized and empowered, by and with the consent of the Council of any towns or cities through which they may pass, or at which their road may terminate, to construct their tracks across and through one or more of the public streets or

Crossing of streets.

A. D. 1891. ways of such towns or cities, and to extend the same to any or
To wharves, &c. all of the wharves or landings in such towns or cities, and to a
Proviso. connection with the track or tracks of any railroad company
 now operated or which shall hereafter be constructed and op-
 erated in such towns and cities: *Provided, That in such con-*
struction and extension all necessary precaution in extending
the work be taken not to obstruct or otherwise impair the use
of any street or public way through which the said railroad
may be constructed or extended.

Right of way. SEC. 12. That the said railroad company may have the right
 to take for its right of way one hundred feet on each side of
 the centre of their road bed: *Provided, That the same be con-*
demned according to existing laws.

Bonds, mort- SEC. 13. That the said railroad company is hereby authorized
gages, and pre- and empowered to mortgage any and all of its property and
ferred stock. franchises and to issue bonds and preferred stock to such an
 amount and on such terms and conditions and for uses and pur-
 poses of the said company, as a majority of the stockholders
 thereof shall deem expedient for the interests of the company.

Public Act. SEC. 14. That this Act shall be deemed and held a public
 Act, and the rights, powers and privileges conferred by this
 Act shall vest and continue in said company and their succes-
Duration of sors for and during the term of fifty years, to be computed from
charter. the time of the approval of this Act: *Provided, That work on*
the said railroad be commenced within six months and com-
Time for con- pleted within eighteen months after the approval of this Act.
struction limited.

Repealing SEC. 15. That all Acts, or parts of Acts, inconsistent with
clause. this Act be, and the same are hereby, repealed.

Approved December 16th, A. D. 1891.

No. 748. AN ACT TO AMEND "AN ACT TO AMEND AN ACT ENTITLED AN ACT
 TO CHARTER THE CHESTERFIELD AND LANCASTER RAILROAD
 COMPANY," APPROVED DECEMBER 24TH, 1887," APPROVED DE-
 CEMBER 24TH, 1889, IN RELATION TO THE TIME AND MANNER OF
 THE DELIVERY OF BONDS SUBSCRIBED AND TO BE SUBSCRIBED
 TO THE CAPITAL STOCK OF SAID COMPANY.

SECTION 1. *Be it enacted by the Senate and House of Repre-*
sentatives of the State of South Carolina, now met and sitting

in General Assembly, and by the authority of the same, That an Act entitled "An Act to amend an Act entitled 'An Act to charter the Chesterfield and Lancaster Railroad Company,' approved December 24th, A. D. 1887," approved December 24th, 1889, and the same is hereby, amended by striking out all of Section eleven (11) of said Act and inserting in lieu thereof the following, so that said Section as amended shall read as follows:

A. D. 1891.

A. A. 1889,
and 406, amend-
ed. 19 Stat., 907.

SECTION 11. In case the majority of the ballots cast shall have County sub-
 written or printed thereon "Subscription," then the Chairman scriptions.
 of the Board of County Commissioners in all cases of County
 elections shall be authorized and required to subscribe to the
 capital stock of said company in behalf of said County the sum Amount.
 which may have been fixed and named in the resolution of said
 Board, published as aforesaid, which subscription shall be made
 in six per cent. coupon bonds as aforesaid, with interest
 thereon, payable annually; and if a majority of the bal-
 lots cast in any city or town election shall be for subscription, Town sub-
 the proper corporate authorities of such city or town are scriptions.
 authorized and required to subscribe in behalf of such city
 or town in like manner and to the like extent as the County
 Commissioners are required herein in cases of County sub-
 scription: *Provided, however,* That the bonds representing the Bonds to be
 subscription of any County, city or town shall be issued and put in escrow
 placed in escrow in such bank or trust company as the County until road is
 Commissioners, or city or town authorities issuing the same, completed.
 may select; the said bonds to be held in trust by such bank or
 trust company, and to be delivered by such bank or trust-com-
 pany to the corporate authorities of the said Chesterfield and
 Lancaster Railroad Company as herein provided. Whenever
 the said railroad company shall have built and railed with iron Regulations as
 or steel rails in first class style said railroad from the town of to delivery.
 Cheraw to Chesterfield Court House, then said bank or trust
 company shall deliver to said railroad company twelve thirty-
 fifths (12-35) of all the bonds heretofore subscribed or hereafter
 to be subscribed by Chesterfield County; and upon the com-
 pletion of every section of five miles of said railroad which said
 railroad company shall thereafter fully build and iron with iron
 or steel rails in Chesterfield County, the said bank or trust
 company shall deliver the said railroad company five thirty-fifths
 (5-35) of all the bonds so subscribed by Chesterfield County, un-
 til all the bonds subscribed by said County shall have been de-
 livered: *Provided, further,* That the said bank or trust company Past due cou-
 shall before such delivery detach and destroy all interest cou- pons to be de-
 attached.

A. D. 1891.

Proviso as to
delivery in cases
of other Counties
having sub-
scribed.

Delivery on
full completion.

pons then past due, said bonds to be delivered in exchange for stock of said company at par as aforesaid: *Provided, further,* That in case of the subscription of bonds to the capital stock of said railroad company by any other County, or by any town or city, under the provisions of this Act, the foregoing provisions in this Section as to the delivery of bonds subscribed and to be subscribed by Chesterfield County shall apply and be observed, with the qualification that when a section of five miles of said railroad shall have been fully built and railed as aforesaid within such other County so subscribing, that then such proportion of the whole of the bonds subscribed by such County as five miles bears to the whole number of miles to be traversed by said railroad in such County shall be delivered and matured interest coupons detached as aforesaid, as in Chesterfield County; and that when said railroad shall have been fully built and railed as aforesaid up to any such city or town so subscribing as aforesaid, that then the whole of the bonds subscribed by such city or town shall be delivered with coupons for past due interest detached, as aforesaid, as in the case of the subscription by Chesterfield County aforesaid.

Approved December 22nd, A. D. 1891.

No. 749. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT TO INCORPORATE THE EASTERN SOUTH CAROLINA RAILROAD COMPANY,' APPROVED DECEMBER 26TH, 1885," APPROVED DECEMBER 19TH, 1887.

A. A. 1887, § 1,
19 Stat., 914,
amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to amend an Act entitled 'An Act to incorporate the Eastern South Carolina Railroad Company,' approved December 26th, 1885," approved December 19th, 1887, be amended so as to read as follows:

A. A. 1885, § 2,
19 Stat., 336,
amended.

SECTION 1. That Section 2 of an Act entitled "An Act to incorporate the Eastern South Carolina Railroad Company," approved December the 26th, 1885, be, and the same is hereby, amended, so that the said Section 2 of said Act as amended shall

read as follows: Section 2. That the said company be, and is hereby, authorized and empowered to construct, maintain, and operate a railroad with any gauge, with one or more tracks, from a point on the North Carolina State line in Horry County in the general direction of Southport, N. C., thence by the most feasible route through Horry, Marion, and Marlboro Counties to a point on the North Carolina State line in Marlboro County, in the general direction of Salisbury, N. C., with the privilege of extending the same from any point on their line of roads to some point on or near the Atlantic Ocean in this State; and also with the privilege of extending the same from any point on their line of roads to Camden, in the County of Kershaw, in this State; and with the further privilege of building other branch roads on either side of said route, from such points on said roads to such other points, not more than twenty-four miles distant therefrom, as the said company may deem expedient: *Provided, however,* That the construction of the main line of said railroad shall be commenced within two years, and completed within six years after the approval of this Act, or the Act of incorporation and all the amendments thereto, shall be null and void, and stand as repealed hereby.

A. D. 1891.

Route of road.

Extensions.

Branch roads.

Time for construction limited.

SEC. 2. That this Act shall take effect immediately upon its passage. When to take effect.

Approved December 23rd, A. D. 1891.

AN ACT TO AUTHORIZE AND EMPOWER THE FLORENCE RAILROAD COMPANY TO BUILD A BRANCH ROAD IN MARION AND MARLBORO COUNTIES. No. 750.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Florence Railroad Company be, and the same is hereby, authorized and empowered to build a branch road in Marion and Marlboro Counties from Latta, in Marion County or a point within one mile thereof in a north or northwesterly direction as far as the North Carolina line via Bennettsville or Tatum's or within one mile of either, provided said branch road

Route of branch road.

Proviso.

A. D. 1891. *Pro-*
vided, further, Any special rates or privileges extended to any way granted by the said Florence Railroad Company to the Fayetteville Lumber and Transportation Company, their successors or assigns, not given to the general public, shall operate as a forfeiture of this charter.

Approved December 23rd, A. D. 1891.

No. 751. AN ACT TO CHARTER THE "FLORIDA, GEORGIA AND CAROLINA RAILROAD."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Corporators. W. A. Gaines, J. Fuller Lyon, W. O. Bradley, F. B. Gary, J. Allen Smith, R. W. Cannon, G. A. Visanska, H. P. McGee, J. P. Kennedy, P. L. Grier, and M. B. Clinkscalos, J. L. Orr, H. C. Beattie, A. B. Williams, L. W. Parker, T. C. Gower, J. A. Mooney and W. L. Mauldin, and their associates and successors,

Incorporation and name. be, and they are hereby, constituted a body politic and corporate, by the name and style of the Florida, Georgia and Carolina Railroad Company, and by that name to sue and be sued, plead and be impleaded, in any Court of law and equity in this State or in the United States; and the said company shall have

Powers. power and authority to make by-laws and regulations for its government and management; to elect or appoint all necessary officers and to prescribe their powers and duties; and to have and use a common seal, which it may change or alter at

Property rights. pleasure; to acquire by purchase, lease, or otherwise, and to hold, own, possess, lease, mortgage and sell, or otherwise transfer, real, personal and mixed property,

Rights and limitations. and to have and to exercise all and every power, privilege, franchise and right and be subject to all the restrictions mentioned in an Act entitled "An Act to provide for and regulate the incorporation of railroad companies in this State," approved December 27th, 1885.

19 Stat., 171.

Route of road. SEC. 2. That the said company be, and is hereby, authorized and empowered to build, construct, maintain and operate a rail-

road, with one or more tracks, from some point on the Savannah River, in the County of Abbeville, near Mount Carmel, via Mount Carmel, Abbeville, Due West, Greenville, to a point on the North Carolina line in the direction of Asheville, North Carolina, as the President and Directors may determine.

A. D. 1891.

SEC. 3. That the capital stock of said company shall be such amount as may be fixed by its stockholders, or a majority of them, not to exceed six million dollars, and the same may be increased from time to time as its stockholders, or a majority of them, shall determine within said limit; and until fixed by the stockholders, or a majority of them, under this Act, the capital stock shall be and remain the amount which has been heretofore subscribed. That the stock of said company to be hereafter issued shall be in shares of one hundred dollars each, and each share of one hundred dollars shall be entitled to one vote, and each share of twenty-five dollars, not so transferred, shall be entitled to one-fourth of a vote. That the President and Directors of the said company as now organized are hereby authorized and empowered, from time to time, to appoint Commissioners to open books of subscription at such times and places and under such rules and regulations as may be prescribed by said President and Directors. That the said company shall immediately be vested with all the rights, privileges and franchises granted by its charter and by the laws of South Carolina.

Capital stock.

Shares of stock.

Books of subscription.

Rights and privileges.

SEC. 4. That subscriptions to the capital stock of said company may be made in money, land, labor or material necessary for the construction or equipment of said road, in bonds, stocks or other valuable credits, in such manner and on such terms as may be agreed upon between the President and Directors of said company and the said subscribers; and no stockholder shall be liable for more than the amount of his [or] her subscription to the capital stock of the company, except as herein provided.

Subscriptions.

SEC. 5. That the stockholders in the said corporation shall be jointly and severally liable to the creditors thereof in an amount, besides the value of their respective share or shares, not exceeding five per cent. of the par value of the shares held by them at the time the demand of such creditors was created: *Provided*, That such demand shall have been payable within one year before the commencement of legal proceedings to enforce the same: *Provided, also*, That proceedings to hold such stockholders liable therefor shall be commenced whilst they re-

Liability of stockholders.

Provisions.

A. D. 1891.

Trustees.

main stockholders therein, or within two years after they shall have ceased to be such stockholders: *Provided, further, That* persons holding stock in such company as executors, administrators or trustees, or by way of collateral security, shall not be personally subject to the liabilities of the stockholders under the foregoing provisions, but the person pledging such stock shall be liable as a stockholder, and the estates and funds in the hands of executors, administrators or trustees shall be liable in their hands in like manner and to the same extent as the deceased testator or intestate, or the ward or person interested in such trust funds, would have been if they had been respectively living and competent to act and hold stock in their own names.

Payments of subscriptions.

SEC. 6. That the President and Directors shall have power and authority to require from the stockholders, whose subscriptions are payable in money, such advances of money on their respective shares from time to time as the wants of the company may demand, until the whole of their subscriptions shall be paid. If any stockholder shall fail to pay the sum required

Sale of defaulting shares.

of him by the President and Directors within one month after the same shall have been required, it shall, and may be, lawful for the said President and Directors to sell at public auction and convey to the purchaser the share or shares of such stockholder so failing or refusing, giving one month's previous notice of the time and place of sale in one or more newspapers in this State, and, after retaining the sum due and all charges of the sale out of the proceeds thereof, to pay the surplus unto the delinquent owner or his legal representative. And if the said

Disposition of proceeds.

Deficiency.

sale should not produce the sum required to be advanced, with the incidental charges attending the sale, then the said company may recover the balance of the original subscriber, or his assignee, or the executor, or administrator, or either of them, at the option of the said company, acting through its President and Directors, by civil action in any Court having jurisdiction thereof. Any purchaser of stock under sale by the President and Directors shall be subject to the same rules and regulations as the original proprietor.

Rights of purchaser.

Consolidation with other roads.

SEC. 7. The said company shall have the right, and is hereby authorized and empowered, to consolidate with any other railroad company under the conditions, provisions, restrictions and powers as are enumerated and set forth in Sections 1425 and 1432, inclusive, of the General Statutes of this State.

Other corporations may subscribe and purchase bonds.

SEC. 8. That it shall and may be lawful for any railroad or transportation company created by the laws of this or any

other State, from time to time, to subscribe to or purchase and hold the stock and bonds, or either, of this company, or of any company formed under Section 7 of this Act, or to guarantee or endorse such bonds or stocks or either of them; and it shall and may be lawful for any railroad or transportation company or companies created by the laws of this or any State to purchase, use, or lease the road, property, and franchise of this company, or of any company formed under Section VII. of this Act, for such time and upon such terms as may be agreed upon between this company, and such company or companies as shall be parties to the contract. That it shall be lawful for this company or any company formed under Section VII. of this Act to subscribe or purchase, and to hold, the stock or bonds, or both, of any other railroad or transportation company chartered by this or any other State, or to guarantee the stock or bonds of any such company, or to purchase, lease, use, or operate the road or line, property, or franchise of any such railroad or transportation company: *Provided*, The road or line of such company shall directly, or by means of one or more intervening roads or lines, be connected with the road of this company.

A. D. 1891.

Guarantee or
endorse.And purchase
or lease road.This company
may invest in
bonds, stock, &c.Guarantee and
purchase, lease,
&c.

Provide.

SEC. 9. That the officers of said company shall be a President and six Directors, who shall have the power of appointing a Vice-President, Treasurer and such other officers and agents as may be necessary for conducting the construction and management of the railroad authorized by this Act. No person shall be eligible to the position of President and Director unless he shall own not less than two shares of the capital stock of the company. The President and Directors shall be elected annually by the stockholders, and shall remain in office one year, or until their successors are elected; and in case of vacancies occurring by death or resignation in the offices of President or Directors, the same may be filled by the Directors until the next meeting of the stockholders. The President shall be *ex officio* President of and a member of the Board of Directors.

Officers.

Who may be
Director.

Annual elections.

Vacancies.

SEC. 10. That meetings of stockholders shall be held annually at such time and place, in this State, as may be determined by them, and the stockholders shall establish such code of by-laws as may appear to them best for the government of the company; and at all annual meetings the President and directors shall render to the stockholders an account of the affairs of the company. Special meetings of stockholders may be called by the President or by a majority of the Directors by notice mailed to each stockholder or by publication in one or more newspapers

Annual
Meetings.

By-laws.

Annual Account.

Special meetings.

A. D. 1891.

in this State thirty days before said meeting; and notices of the annual meetings shall be likewise published.

Loans.

SEC. 11. That authority is given to said company to borrow money to such an extent and in such manner as may be authorized by a majority of the stockholders, and to pay thereon such rates of interest, not exceeding seven per cent., as may be deemed advisable, and to issue therefor such bonds, either coupon or registered, or other evidences of debts, in such manner and of such form as may be determined by the President and Directors, and to secure such loans, both as to principal and interest, by such mortgages or deeds of trust, upon the whole of the property, income, and franchises of the company, or either or any part thereof.

Bonds and mortgages.

Rights of way and condemnation.

SEC. 12. That this company shall enjoy the benefits, and be subject to the provisions, of Sections 1550 to 1561, inclusive, of Chapter 40 of the General Statutes of South Carolina, with respect to the manner of acquiring lands, or the right of way over lands, required by it.

Municipal subscriptions.

SEC. 13. That for the purpose of aiding in raising the capital stock of said Florida, Georgia and Carolina Railroad, in addition to private subscription provided for, it shall and may be lawful for any County, or city or town, through which said railroad may be located, or which is interested in its construction, to

How determined.

subscribe to the capital stock of such company such sum or sums in bonds or money as a majority of their qualified electors may authorize the County Commissioners of such County, or the municipal authorities of such city or town, to subscribe, anything contained in the charter of such municipal corporation to the contrary notwithstanding: *Provided*, That said money or

Where to be expended.

bonds, or the proceeds thereof, shall be expended on the construction of the railroad within the County which subscribed them, or by a city or town in a County within which the said railroad is not located, their respective subscriptions must be expended in the construction of the said railroad in an adjoining

Description of bonds issued in payment.

County. If such subscription by any County, city or town be in bonds, the said subscription shall be made in six per cent. bonds, payable in twenty years after date thereof, to be received by said company at par, and to be of the denomination of one hundred dollars, five hundred dollars and one thousand dollars, interest to be paid annually.

Determination of amount.

SEC. 15. That for the purpose of determining the amount of such subscriptions, it shall be the duty of the County Commissioners of any County, or the municipal authorities of any town

or city, interested in the construction of said road, upon a written application of a majority of the real estate owners said County, city or town, specifying the amount therein to be subscribed, in money or bonds, to submit to the qualified electors of such County, city or town, as the case may be, the question of "subscription," or "no subscription" to the capital stock of the said company; and said County Commissioners, or municipal authorities of such city or town, shall have the power to order an election, specifying the time, place and purpose of the election, and to appoint managers, according to law, who shall without compensation hold and conduct said election; at which election the ballots shall have written or printed thereon the word "subscription" or "no subscription," the said County Commissioners by resolution of their Board, and the said municipal authorities of said city or town, having first fixed the amount proposed to be subscribed according to the request of the petition submitted to them, notice of said election being published for three weeks immediately prior thereto in one or more of the County newspapers: *Provided*, That all costs and expenses incident to the advertising and holding of such election and issuing of such bonds shall be paid by the said railroad company.

A. D. 1891.

Application
for election.

Election.

Managers.

Ballots.

Notice of
election.R. R. Co. to
defray expenses.Declaration
of result.

SEC. 16. That it shall be the duty of the managers to make returns and meet at their respective court houses or council chambers, as the case may be, and count the votes and declare the result as in other elections, which result shall be certified in writing by the Chairman of each Board of Managers to the Chairman of the Board of County Commissioners, or to the City or Town Councils, as the case may be.

SEC. 17. That in case a majority of the ballots cast shall have written or printed thereon "subscription," then the Chairman of the Board of County Commissioners, in all cases of County elections, shall be authorized and required to subscribe to the capital stock of said company in behalf of said County the sum which may have been fixed and named in the resolution of said Board, published as aforesaid, which subscription, if in bonds, shall be made in six per cent. bonds as aforesaid, with interest payable annually; if in money, shall be in such annual installments as shall have been named in the petition and in the resolution of said Board; and all tax levies for the purpose of raising funds to pay said bonds or coupons, or said sums of money subscribed, shall be made upon the taxable property in such Counties; and if a majority of the ballots cast in any city or town election shall be for "subscription," the proper corporate

Subscription
to be made.

How paid.

Tax levies.

Town and city
subscription.

A. D. 1891.

authorities of such city or town are authorized and required to subscribe in behalf of such city or town in like manner and to like extent as the County Commissioners are herein required in all cases of County subscriptions.

Tax levy to
pay interest.

SEC. 18. That for the payment of the interest on said bonds voted by any County, the County Commissioners shall issue their warrant, directed to the County Auditor, requiring him to levy and assess such per centum upon the taxable property in said County, as the case may be, as may be necessary to pay said

R. R. tax.

interest, which shall be known and styled in the tax books as said railroad tax, and he shall enter the same upon the tax duplicate, to be turned over to the Treasurer, which shall be his

Collection
of tax.

warrant for collecting the said tax, which shall be collected by the said Treasurer of such County, under the same regulations as are now provided by law for the collection of State and County taxes therein, and which shall be paid over by the said

Payment.

Treasurer of the County so voting said subscription to the holders of said bonds as the said interest shall become due. In the case of the issuing of bonds by municipal corporations, the corporate authorities of such municipalities shall annually levy and collect, in the same manner as ordinary corporation taxes are collected, an amount sufficient to meet such bonds as the same become due.

Municipal taxes
to pay principal.

Tax levy to
pay money sub-
scriptions.

SEC. 19. That for the payment of any money subscriptions voted under this Act the County Commissioners of their respective Counties shall levy a tax upon the taxable property of such Counties sufficient to pay such subscriptions on each instalment as it may become due, which shall be levied and assessed by the County Commissioners and County Auditor, and be collected by the County Treasurer in the same manner in which other State and County taxes are collected: *Provided, however,* That the said tax may be levied and assessed at a special meeting of the County Commissioners if the time of the annual meeting has passed. The corporate authorities of any city or town so

In towns
and cities.

subscribing shall in like manner levy and assess a tax upon the taxable property of said city or town sufficient to pay such subscription on each instalment as it becomes due, to be collected as other municipal taxes are collected, at the first annual collection of taxes next after such subscription, and annually thereafter until all the instalments are paid. All moneys collected on account of any subscription in money under this Act shall, as soon after collection as practicable, be turned over by the County Treasurer, or the City or Town Treasurer as aforesaid,

Payment of
taxes collected.

to the Treasurer of said company or its legally authorized agent, A. D. 1891.
if any.

SEC. 20. That for the purposes of this Act all the Counties Incorporation
of counties.
along the line of the railroad, or which are interested in its construction as herein provided for, shall be, and they are hereby declared to be, bodies politic and corporate and vested with the powers to carry out the provisions of this Act, and shall have all the rights and be subject to all the liabilities in respect to any rights or causes of action growing out of the provisions of this Act. The County Commissioners of the respective Counties Co. Com'rs declared to be
agents of county. are declared to be the corporate agents of the Counties respectively.

SEC. 21. That in all conventions of stockholders of said company, such Counties, cities or towns as may subscribe to the capital stock shall be represented by not less than three nor more than five delegates, to be appointed for such purpose by the corporate authorities of such cities or towns in cases of town or city subscription, or the County Commissioner of the respective Counties in cases of County subscriptions. Representation
of stock.

SEC. 22. That the construction of this railroad shall be begun within two years from the passage of this Act and completed within ten years, otherwise this charter to be null and void. Time for construction limited.

SEC. 23. That this Act shall be deemed and taken to be a public Act, and shall continue in force for fifty years. Public Act.
Duration.

Approved December 24th, A. D. 1891.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE GLENN SPRINGS RAILROAD COMPANY," APPROVED DECEMBER 26, 1884, AND ACTS AMENDING THE SAME, AND TO VALIDATE AND CONFIRM CERTAIN ACTS OF SAID COMPANY. No. 752.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to incorporate the Glenn Springs Railroad Company," approved December 26th, 1884, be amended by inserting the word "Greenville" after the word "Union" on line 6 of said Section, and that Section 7 of said

A. A. 1884, 18
Stat. 911, amended
as to route of
road.

A. D. 1891.

Act be amended by inserting the word "Greenville" after the word "Union" in line 2 and in line 10 of said Section.

Sec. 5, as to
maturity of
bonds, amended.

SEC. 2. That Section 5 of said Act shall be amended by striking out on line 10 of said Section the words "fifteen, twenty and twenty-five," and inserting in lieu thereof the words "not more than thirty."

Section 8
amended, 19 Stat.,
659.

SEC. 3. That Section 8 of said Act, as amended by an Act approved December 24th, 1886, be further amended, so that said Section, as amended, shall read as follows:

Taxes on R. R.
to be applied to
interest on bonds.

SECTION 8. That for the payment of the interest and principal of said bonds the County Commissioners of each County subscribing to the capital stock of said railroad company, or such other railroad company as said subscription may be made to or of each County, in which any city or township so subscribing may be situated, shall apply all taxes that may be raised in every fiscal year for all County purposes whatsoever, on all property of said railroad company, or any railroad company to which said subscription may be made, that may be in said County, to the interest on the bonds issued by said County in aid of said railroad; or in case there is no County subscription, then the whole of said tax on all of said railroad property in said County, pro rata to the interest on bonds issued by cities, towns and townships in such County in aid of said railroad: *Provided*, That if said tax is more than sufficient to pay said interest, the balance thereof shall be used as a sinking fund for retiring said bonds or the payment of the same as they shall fall due.

Sinking fund.

Assessment of
taxes to pay in-
terest.

And for the payment of the balance of the interest on said bonds, in case the said tax is not sufficient to pay the whole of said interest, the County Auditor or the City or Town Treasurer or other officer discharging such duty, as the case may be, shall be authorized and required to assess annually upon the property of such County, township, town or city such per centum as may be necessary therefor, which shall be known and styled on the tax books as said railroad tax, and shall be collected under the same regulations as are provided by law for the collection of taxes in such Counties, township, town or cities so subscribing, and shall be paid over by the Treasurer to the holders of said bonds as the said interest shall become due. And the said bonds, when the same shall fall due, shall be paid in the manner hereinbefore provided.

R. R. tax.
Collection
and payment.

Payment of
principal.

Section 13
amended.

SEC. 4. That Section 13 of said Act as amended be, and the same is hereby, further amended, so that the same shall read as follows:

SECTION 13. That this Act shall be a public Act to continue in force for thirty years: *Provided*, That this charter shall cease and determine unless the construction of said railroad is commenced on or before January 1st, 1893, and completed on or before January 1st, 1896.

A. D. 1891.

Public Act.
Duration.

SEC. 5. That the present organization of the said Glenn Springs Railroad Company be and the same is hereby validated and confirmed, and declared to be a legal organization of said company. And that the officers thereof are legal officers, entitled to hold office until next meeting of stockholders of said company, to be called within one year from the approval of this Act for the purpose of electing their successors.

Present organization confirmed.

SEC. 6. That this Act take effect immediately on its approval.

When to take effect.

Approved December 23rd, A. D. 1891.

AN ACT TO CHARTER THE HAMPTON AND BRANCHVILLE RAIL- No. 753.
ROAD AND LUMBER COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Samuel Dibble, W. H. Mauldin, J. J. Cumming, John Lawton, Peter Stokes, Isaac Sauls, Conrad Erhardt, M. B. McSweeney, Alfred M. Martin, C. J. Hutson, W. C. Mauldin, and Jacob A. Lightsey, and such other persons as they may associate with them, and their successors are hereby constituted a body politic and corporate by the name of the Hampton and Branchville Railroad and Lumber Company for the purpose, and with the power of constructing a railroad from a point on the Savannah River below Hamburg, and crossing the South Bound Railroad between Fairfax and the said river in Hampton County, through the Town of Hampton Court House, and passing through the Counties of Hampton, Colleton, and Orangeburg, crossing the South Carolina Railroad at a point not above Orangeburg, with the privilege, when the company shall see fit, to extend its line to Sumter, and with power to connect with any railroad in this State, or in the State of Georgia, and thereby make a short line to Jacksonville, Florida.

Corporators.

Incorporation
and name.

Route of road.

Extension.

A. D. 1801.

Capital stock.

SEC. 2. That the capital stock of said company shall not be less than fifty thousand dollars, with the privilege of increasing the same to such amount as may be found necessary to construct, extend, and equip the said railroad not to exceed three million dollars, said capital stock to be divided into shares of one hundred dollars each, and for the purpose of raising said capital stock it shall be lawful to open books of subscription, and when twenty-five thousand dollars has been subscribed, the stockholders shall organize and elect a Board of not less than three nor more than thirteen Directors, who shall elect a President and Treasurer of said company. That subscription may be made in land, labor, equipment or money, and that all amounts so subscribed, either in land, labor, equipment or money, shall constitute the joint stock capital of this company, and said company shall have power to mortgage its property and franchise, and to issue bonds on such terms and conditions and for such uses and purposes of said corporation as the Board of Directors may deem expedient, provided such mortgage shall not defeat the preference of judgments for injuries to person or property against said company.

Books of subscription.

Directors.

Subscriptions.
How payable.

Bonds and mortgages.

Proviso.

Powers.

SEC. 3. That the said corporation may have a common seal, may sue, and be sued, plead, and be impleaded in any Court in this State, and that all contracts authenticated by the President and Treasurer, shall be binding upon the company without a seal, unless otherwise directed by the Board of Directors.

Manufacturing and other powers.

SEC. 4. That the said company is authorized to manufacture timber, lumber, railroad ties, and other products, and empowered to build, purchase, own, hold, use, sell, or otherwise dispose of steamboats, sailing vessels, and other property in connection with their business.

Right to lease, &c.

SEC. 5. That the said company may, when they see fit, farm out their rights of transportation on said railroad, and are authorized and empowered, upon completion, or acquirement by purchase, lease, or otherwise, of any portion or section of said railroad between any points through which the same may run under their charter, to operate and maintain such portion or section, with all the rights and privileges granted to this company.

Operation of completed sections.

Right of way.

SEC. 6. That said company may have the right to take for its right of way one hundred feet on each side of the centre of their road bed: *Provided*, The same be done according to existing laws.

SEC. 7. That the said company shall have the right, when necessary, to conduct the said road across or along any public road or water course: *Provided*, That the said company shall not obstruct any public road without constructing another equally as good, and as convenient as may be, or without making a draw in any bridge if said road may cross a navigable stream, which draw shall be opened by the company for passage of vessels navigating said stream.

A. D. 1891.

Crossing of
roads and
streams.

Draw bridge.

SEC. 8. That the stock of said company may be transferred in such manner and form as may be directed by the by-laws of said company, and that no stockholder shall be liable for the debts contracted for acts of said corporation beyond five per cent. of the amounts actually subscribed to the stock of said company.

Transfer of stock.

Liability of
stock-holders.

SEC. 9. No subscription to capital stock of this company shall be valid unless the sum of ten dollars per share be paid thereon at the time of subscribing, and that if any stockholder shall fail to pay the instalment required of him on his share or shares, by the president and the majority of the stockholders within one month after the call for same, it shall be lawful for said president and directors to sell at public auction and convey to the purchaser the share or shares of said stockholder, so failing or refusing, giving fifteen days' notice of time and place of sale. Any purchaser of said stock shall be subject to the same rules and regulations as the original owner, and no sales by the original owner of the stock, or his assigns, shall relieve the original owner from his obligations to the company to pay the whole of his subscription.

Payment by
subscribers.

Defaulting
shares.

Rights of
purchaser.

SEC. 10. That this Act shall be deemed a public Act, and continue in force fifty years from its passage, and the road hereby chartered shall be commenced within sixty days, and be completed within ten years from the approval of this Act.

Public Act.

Duration.

Time for con-
struction.

Approved December 16th, A. D. 1891.

A. D. 1891. **AN ACT TO INCORPORATE THE NORFOLK, WILMINGTON AND
No. 754. CHARLESTON RAILROAD COMPANY.**

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Corporators. Henry E. Young, Thomas A. Huguenin, citizens of the said State; Thomas J. Jarvis, Thomas S. Kenan, John H. Small, F. W. Winston, Marsden Bellamy, James S. Mitchell, Valentine Smith, James E. Moore, Ludwig Vollers, D. P. High, H. Cannon Smith, Jonathan Gore, Anthony Davis, citizens of the State of North Carolina; Thomas Pinckney, T. J. West, W. L. Daughtrey, V. D. Grover, W. D. Pender, Park L. Poindexter, J. G. Wallace, W. L. Wigginton, citizens of the State of Virginia; R. Duncan Harris, Ralph H. Waggoner, John Q. Hoyt, A. J. Hodder, citizens of the State of New York; M. B. Cowden, J. C. McNaughton, A. S. Cadwallader, E. A. Weaver, M. J. Ramsey, John Runk, James McKenna, George F. Edmonston, citizens of the State of Pennsylvania; Thomas B. Harned, John L. Johnson, citizens of the State of New Jersey; Jeremiah Prescott, George C. Will, Charles A. Hall, C. Henry Kimball, citizens of the State of Massachusetts; James M. Stone, a citizen of the State of Maine, and John L. Delano, citizen of the State of Ohio, and such other persons as may be associated with them, and their successors and assigns, be, and they are hereby, created a body politic and corporate by the name and style of the Norfolk, Wilmington and Charleston Railroad Company; and by that name shall have corporate existence for the term of fifty years; and may sue and be sued, plead and be

Incorporation and name. impleaded, in any Court in this State or in the United States; and shall have all the rights, powers and privileges, and be subject to all the liabilities, provisions and restrictions set forth and granted in and by an Act of the General Assembly of the said State of South Carolina entitled "An Act to provide for and regulate the incorporation of railroad companies in this State," approved December 23d, A. D. 1885; and shall be subject to all the duties, liabilities, restrictions and other provisions contained in General Statutes of the State of South Carolina, Chapter XL., "Of Railroad Corporations—General Railroad Law," one thousand, eight hundred and eighty-one, with all the amendments that may have been, or may hereafter be, made thereto.

Duration.

Powers, rights and limitations.

19 Stat., 171.

Subject to general railroad law.

Route of road. **SEC. 2.** That the said company shall be, and is hereby, authorized to construct, maintain and operate a railroad with any

gauge, with one or more tracts, in this State, extending through the Counties of Horry, Georgetown and Berkeley and into and through Charleston exclusive of the city of Charleston, and also a railroad, with any gauge, with one or more tracks, in the State of South Carolina, extending through any of the Counties of Marion, Marlboro, Darlington, Sumter, Kershaw and Richland to the city of Columbia, the particular routes of the said railroads to be determined and located by the said company; and with the further privilege of building branch roads on either side of the routes, from such points on either of the said routes and to such other points as the said company may deem expedient: *Provided*, That no such branch road shall exceed twenty miles in length.

A. D. 1891.

Branch roads.

Proviso.

SEC. 3. That the said railroad company is hereby authorized to construct and operate one or more lines of telegraph or telephone along its line or lines of railroad, and to charge and collect such remuneration for messages as the President of the said company or the Board of Directors thereof may determine, and may connect such lines of telegraph or telephone with the lines of telegraph or telephone of any other company in this or any adjoining State, and may lease, rent out or sell such lines of telegraph or telephone, with all the rights and privileges thereto belonging, as in the judgment of the President and Board of Directors of the said company may be deemed advantageous to the said company.

Telegraph and telephone lines.

SEC. 4. That the said company may also own, lease, charter and run such steamboats and sailing vessels, and other water craft, as may be necessary to conduct a general freight and passenger business in connection with their said railroads to any of the ports of the United States, and to and from all points on any of the navigable streams in this State; and may purchase, construct and own, lease or rent such wharves as may be necessary for said purpose.

Vessels.

Wharves.

SEC. 5. That the said company shall have every right, power and privilege for the purpose of acquiring such lands and rights of way as may be required for locating and constructing the said railroads and the branches thereof, and the said telegraph and telephone line, and for the erection and location of depots, warehouses, stations, wharves and other necessary establishments, and for altering and extending the same, and the benefit of every process and proceeding, and be subject to the restrictions, provided and imposed by Sections 1550 to 1561, both

Rights of condemnation and of way.

Process and proceedings.

A. D. 1891. inclusive, of the General Statutes of the State of South Carolina
 —“Manner of Acquiring the Right of Way.”

Capital stock. SEC. 6. That the capital stock of said company shall be one hundred thousand dollars in shares of not less than one hundred dollars each, with the privilege of increasing the said capital stock to such an amount as may be found necessary to carry out the intention and purposes of this Act, not to exceed the sum of ten million dollars; and the shares shall be personal property, transferable in such manner as the by-laws of the company may direct; and for the raising of such capital stock, it shall be lawful to open books of subscription at such times and places, and under the direction of such persons, as any five of the said corporators may direct; that subscriptions to the capital stock may be made in money, bonds, notes, lands, machinery, materials and work, as may be stipulated, and at such rates as may be agreed upon with the said company; and a copy of any articles of association signed by the incorporators named in this Act, or any number of them not less than five, may be filed in the office of the Secretary of State, and thereupon the persons subscribing such articles of association, and all persons who, and corporations which, shall become stockholders in said company, shall be and become a corporation in deed and in law for the purposes herein set forth, and shall be considered organized by such act of association

Limit.

Books of subscription.

Character of subscriptions.

Articles of Association to be filed.

Bonds, mortgages, and preferred stock. SEC. 7. That said company is hereby authorized and empowered to mortgage any and all of its property and franchises and to issue bonds and preferred stock to such an amount and on such terms and conditions and for such uses and purposes of said company as a majority of the stockholders thereof shall deem necessary or expedient for the interest of the company.

County subscriptions. SEC. 8. That in addition to the subscriptions to the capital stock of the said company hereinbefore proposed, it shall and may be lawful for any County, except Sumter and Marion Counties, through which the said railroad may be located to subscribe to its capital stock such sum as a majority of the qualified voters thereof may authorize the County Commissioners to subscribe.

Application for election. SEC. 9. That for the purpose of determining the amount of such subscription it shall be the duty of the County Commissioners of any such County, upon a written application of fifty of the owners of real estate of any such County, (except in the Counties of Georgetown and Berkeley, where such written application shall be signed by at least a majority in interest as well as in number of the real estate owners of the County, the signa-

Exceptions.

tures of such real estate owners as may not be able to write their names, to be proven and attested by the oaths of two credible witnesses,) specifying the amount to be subscribed, in money and bonds and the conditions of such subscription, to submit to the qualified electors of such County the question of "subscription" or "no subscription" to the capital stock of said company; and, the said County Commissioners having first by resolution of their Board fixed the amount proposed to be subscribed and the conditions of such subscription according to the application submitted to them, shall have the power to order an election and to appoint managers according to law at each election precinct in such County, who shall without compensation hold and conduct said election in the same manner as State and County elections are held and conducted, at which election the ballots to be voted shall have written or printed upon them the words "Subscription" or "No Subscription." Notice of said election and of the amount proposed to be subscribed and of the terms and conditions of such subscription, specifying the time, place, and purpose of such election being published at least once a week for four weeks immediately prior thereto, in one or more newspapers published in said County; and all the expenses of such election to be paid by said railroad company.

A. D. 1891.

Election.

Managers.

Conduct of
election.

Notice.

Expenses.

SEC. 10. It shall be the duty of the managers conducting such election to count the votes and declare the result at their respective precincts, as in other elections; which result they shall certify in writing, under their hands, to the Board of County Commissioners, within three days after the said election, and the said Board of County Commissioners shall collate the same and declare the result.

Declaration
of result.

SEC. 11. In case the majority of the ballots cast at such election shall have written or printed thereon "Subscription," then the Chairman of the Board of County Commissioners shall be authorized and required to subscribe to the capital stock of the said company, in behalf of such County, the sum which may have been fixed and named in the resolution of said Board published as aforesaid; which subscription shall be made in six per cent. coupon bonds, with interest payable annually. In all cases of subscription made under the authority and direction of County elections held under this Act, it shall be so expressed in the bonds and coupons issued in payment of such subscriptions; and all tax levies for the purpose of raising funds to pay the said bonds and coupons shall be only upon the taxable property in such County.

Subscription
to be made.

How payable.

Statement
in bonds.

Tax levies.

A. D. 1891. Issue of bonds.	SEC. 12. That the said bonds shall be issued by the Board of County Commissioners of the County authorizing such subscription and by the Board of County Commissioners of the County, and shall be of the denominations of one hundred dollars, five hundred dollars and one thousand dollars, and payable in thirty years after the date thereof, and shall be delivered by the
Description of bonds.	said Board to the said company at par: <i>Provided, however,</i> That the bonds representing the subscription of either of the Counties of Marlboro, Darlington, Kershaw and Richland shall be delivered to the said company only when the said railroad shall be fully built and constructed and fully railed with sixty-pound steel rails, in first class style, through the County so subscribing, and then, and not until then, to be delivered by the said Board of County Commissioners to the said company; and the said Board of County Commissioners, before such delivery, shall detach and destroy all interest coupons which may be past due: <i>Provided,</i>
Proviso as to certain counties.	<i>further,</i> That no bonds or money subscribed to the capital stock of said company by either of said Counties of Horry, Georgetown and Berkeley under the provisions of this Act, shall be delivered or paid over to the said company until the construction and equipment of said railroad shall have been completed from the point on the North Carolina line where said railroad enters this State, through said Counties to the town of Mt. Pleasant in Berkeley County; such construction to be in the sixty pounds steel rails in first class style, and such construction and equipment to be accepted and approved by the Railroad Commissioners of this State, who shall certify such approval and acceptance under their hands and seals, to the County Commissioners of the respective Counties: <i>Provided, further,</i> That said subscription shall not exceed two thousand dollars per mile of such railroad in either of said Counties. And the said County Commissioners, before delivering any bonds so subscribed to said railroad company shall detach and destroy all interest coupons which may be past due.
Delivery of bonds.	
Character of construction.	
Certificate by R. R. Com'rs.	
Limit to subscriptions.	
Past due coupons to be detached.	
Tax to pay interest.	SEC. 13. That for the payment of the interest on such bonds issued as aforesaid in behalf of any County, the County Commissioners shall issue their warrants directed to the County Auditor of such County, requiring him to levy and assess annually such per centum upon the taxable property in said County, as may be necessary to pay said interest, and the said County Auditor shall be, and is hereby, authorized and required annually to levy and assess the same accordingly: which said tax shall be known and styled in the tax books as "the railroad
R. R. tax.	

tax," and shall be collected by the County Treasurer of such County under the same regulations as are provided by law for the collection of taxes in such County, and shall be paid over by the said County Treasurer to the holders of said bonds as the said interest shall become due, upon the presentation of the coupons which are due, and the said Treasurer shall cancel and deliver the same to the Board of County Commissioners of such County. And ten years previous to the time said bonds shall fall due, the money to pay the same shall commence to be raised by taxation, and thereafter the County Auditor of such County, or other officer discharging such duty, shall annually levy and assess upon the taxable property of such County, in the same manner as directed providing for the payment of the interest, an additional per centum sufficient to pay one-tenth of the principal of said bonds, until the said bonds shall be fully paid; which said tax shall be collected by the County Treasurer of such County, and be paid over by him to the holders of the said bonds, in like manner as herein provided for the payment of the interest, a credit for which payment shall be endorsed upon the said bonds.

A. D. 1891.

Collection and
disbursement.Tax to pay
principal.Collection and
disbursement.

SEC. 14. That in collecting said taxes the County Treasurer shall deliver to the taxpayer a special receipt therefor, which shall express that the amount stated therein is the tax for said railroad; and when any holder of such receipts issued in his own name, or in that of another person, and duly transferred to such holder by the endorsement thereon of the name of the person to whom the same was issued, shall present to the proper custodian of the said stock held by any County in behalf of which the taxes named in such receipt were paid an amount equal to one or more shares of said stock; the said custodian shall transfer and deliver to said holder shares of stock equal in amount to such receipts, and such holder shall thereupon become a stockholder of said company: *Provided, further,* That said custodian shall retain said receipts as vouchers for the said stock so transferred by him.

Special receipt
to taxpayer.Receipts fund-
able in stock.

Provided.

SEC. 15. That upon the delivery of the said bonds by the Board of County Commissioners to the said company, certificates of stock of the said company equal in amount to the face value of such bonds and interest to be paid thereon shall be deposited with the said Board of County Commissioners, to be held by the said Board as custodian thereof in behalf of such County until the said stock shall have been transferred in ac-

Certificates of
stock to County
Com'rs.

A. D. 1891. { cordance with the provisions of the next preceding Section herein.

Representation
of stock.

SEC. 16. That in all conventions of the stockholders of the said company which may be held after the delivery of such bonds as aforesaid, such County subscribing to the capital stock of the said company, and receiving certificates of stock in the said company as hereinbefore provided, shall be represented by not less than three nor more than five delegates, to be appointed by the Board of County Commissioners of such County, as the case may be, until such time as the stock held by the said Board shall have been wholly transferred to holders of tax receipts as is provided by Section fourteen of this Act.

Time for con-
structing road.

SEC. 17. The said railroad company shall commence work upon said railroad within two years, and shall complete said railroad within five years from the date of the passage of this Act, and in default thereof shall forfeit all the rights and franchises hereby granted.

Approved December 24th, A. D. 1891.

No. 755. AN ACT TO INCORPORATE THE ORANGEBURG RAILROAD COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. William H. Dukes, Michael B. Randle, Samuel Dibble, B. Hart Moss, James H. Fowles, James M. Oliver, W. Bird Thompson and W. Hampton Dukes, of the County of Orangeburg, in said State, and such other persons as may be associated with them, and their successors and assigns, be, and they are hereby, created a body politic and corporate.

Incorporation.

Name.

SEC. 2. That the name and style of such corporation shall be the Orangeburg Railroad Company.

Organization.

SEC. 3. That whenever the sum of ten thousand dollars shall have been subscribed to the capital stock of said corporation, the said corporators, or a majority of them, shall within a reasonable time thereafter appoint a time and place of meeting of said stockholders, of which fifteen days' notice shall be given in a newspaper published in the County of Orangeburg, at which

time and place the said stockholders may proceed to the organization of said corporation by the election of such officers as said stockholders may determine; that the capital stock of said corporation shall be one hundred thousand dollars, and said corporation may increase the same from time to time to any sum not exceeding one million dollars, subscription to which may be made in money or other property, or in work and labor, as the corporation may agree and determine, which capital stock shall be in shares of one hundred dollars each, and may be transferable in such manner as the by-laws may direct.

A. D. 1891.

Capital stock.

SEC. 4. The said corporation is hereby authorized and empowered to construct a railroad through the city of Orangeburg from Harlin City or Vances, or some intermediate point on the Charleston, Sumter and Northern Railroad, to North, or some other point on the South Bound Railroad within the County of Orangeburg, with the privilege of extending the said railroad so as to connect with the Carolina Midland Railroad, or with the Manchester and Augusta Railroad, or both, and with the privilege of commencing the construction of said railroad at the city of Orangeburg or any other point on the route above designated, and also with the privilege of operating any portion of said road under its charter, as soon as such portion shall have been inspected and opened for business by the Railroad Commission of said State: *Provided*, That the work of constructing said railroad shall be commenced within two years and be completed within five years; otherwise this Act shall be null and void.

Route of road.

Extensions.

Operation of completed sections.

Time for construction limited.

SEC. 5. That said corporation shall have all the rights, powers and privileges, and be subject to all the liabilities, provisions and limitations, contained in an Act entitled "An Act to provide for and regulate the incorporation of railroad companies in this State," approved December 23d, A. D. 1885.

Rights and limitations.

19 Stat., 171.

SEC. 6. That in addition to the provisions contained in the preceding Sections for private subscriptions, it shall be lawful for any city or town interested in the construction of said railroad to subscribe to its capital stock such sums as a majority of the qualified voters of such city or town may determine at an election to be held for the purpose as hereinafter provided; which subscription shall be made in coupon bonds, bearing six per cent. interest per annum, payable on the first day of January of each year, and be received by the said company at par; said bonds to be payable within thirty years after the date thereof, and to be of the denomination of five hundred dollars. That for the purpose of determining such subscription and the

Municipal subscriptions.

Description of bonds.

Election to determine subscription.

A. D. 1891.	amount thereof, it shall be the duty of the City Council or Town Council of any city or town proposing so to subscribe, upon the
Application.	written application of a majority of freehold voters owning the real estate within the limits of such city or town, specifying the amount to be subscribed therein, to order an election, specifying the time and place of the same, and to appoint three managers, who shall hold and conduct such election, at which election the ballot shall have written thereon the word "Subscription" or "No Subscription" and the name of this company. That the notice of election herein provided for shall be given not less than ten days before such election in one or more newspapers published in the County of Orangeburg, and all qualified electors residing within the corporate limits of such city or town shall be entitled to vote at said election, and it shall be the duty of the managers to count the votes and declare the result as in other elections, which result shall be certified in writing by the Board of Managers to the City Council or Town Council of such city or town within five days after said election shall have been held.
Managers.	
Ballots.	
Notice.	
Electors.	
Declaration of result.	
Subscription to be made.	SEC. 7. That in case a majority of the ballots cast shall be in favor of subscription, then the City Council or Town Council of such city or town shall be authorized and empowered to subscribe to the capital stock of said company, as the voters at such election shall have determined: <i>Provided</i> , That no subscription shall be made until the line is laid within the corporate limits of such city or town, and is received by the Railroad Commission of this State, and no subscription shall be refused to be made by said City Council or Town Council when so authorized by the electors thereof.
Proviso.	
How made.	SEC. 8. That said subscription shall be made in bonds of the city or town so subscribing, which the City Council or Town Council are hereby authorized and directed to issue; that said bonds shall be signed by the Mayor or Intendant of said city or town, and countersigned by the City or Town Clerk of such city or town, and shall be sealed with the corporate seal of such city or town, and shall have coupons attached for the said interest, and the coupons shall be receivable in payment of any and all taxes and debts that may be levied by and due to the said city or town for the year in which the same shall become payable.
Execution of bonds	
Coupons.	
Tax to pay interest.	SEC. 9. That the said City Council or Town Council shall levy and collect annually during the thirty years the said bonds shall run a tax sufficient to pay the interest thereon, at the same time and in the same manner as taxes are levied for ordinary

municipal purposes, and with like authority and penalties for the non-payment of the same, and also an additional tax as and for a sinking fund to pay the principal of said bonds: *Provided*, That such additional tax for retiring said bonds shall in no year exceed ten cents on the one hundred dollars of property returned in said city or town.

A. D. 1891.

Limit to tax.

SEC. 10. That the tax herein authorized to be collected shall be set apart as a special fund for the purpose of paying said interest and reducing said bonded debt, and shall be used for no other purpose whatsoever: *Provided*, That such City Council or Town Council may from year to year use so much of said fund as is not required for the payment of the annual interest in the purchase of said bonds, when the same can be bought at or below par: *Provided, further*, That should the City Council or Town Council be unable to buy said bonds at or below par, then they shall invest the money collected for retiring said bonds in safe interest-bearing securities until the maturity of said bonds. That as fast as said coupons are paid and said bonds are purchased or paid, they shall be cancelled in the presence of the City Council or Town Council, and shall be filed, and a registry of such bonds as are purchased or paid and cancelled shall be kept by the Clerk of such city or town.

Special fund.

Purchase of bonds.

Sinking fund.

Cancellation of bonds and coupons.

SEC. 11. That this Act shall be a public Act, and shall remain in force for a term of fifty years.

Public Act.
Duration.

Approved December 22d, A. D. 1891.

AN ACT TO AMEND AN ACT ENTITLED AN ACT TO INCORPORATE THE RIVER AND SEACOAST RAILWAY COMPANY. No. 756.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to incorporate the River and Seacoast Railway Company," approved December 20th, 1890, be, and the same is hereby, amended, so as to read as follows:

A. A. 1890, § 2, ante 756, amended.

SECTION II. That the said company be, and is hereby, authorized and empowered to construct, maintain and operate a

Section as amended.
Route of Road.

A. D. 1891. railroad, with one or more tracks, as it may deem best, extending from some point on the Savannah River, in the Counties of Aiken, Barnwell, Hampton, or Beaufort, to some point on or near Foot Point on the sea coast of this State in the said County of Beaufort and to use for this purpose such route or routes as may by said company be deemed to be most practicable and advisable.

When to
take effect. SEC. 2. That this Act shall take effect from and immediately after the date of its approval.

Approved December 22nd, A. D. 1891.

No. 757. AN ACT TO INCORPORATE THE "SOUTH EASTERN RAILROAD COMPANY."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the formation of a corporate company is hereby authorized for the construction and operation of a railroad, the route of which is from such point on the Ashepoo River, in Colleton County, to such point on the Edisto River, in Colleton County, as the company may determine upon, with the privilege, whenever the company should see fit, to extend its line from the Ashepoo River to such point on the Savannah River, on the boundary line of the State of South Carolina, with the privilege also of extending its line whenever the company shall see fit from the Edisto River to the boundary line of the State of North Carolina as the said company may determine upon.

SEC. 2. That this charter, with its rights and privileges incident thereto, is hereby granted to Henry Schachte, Henry Buist, and Rene R. Jervey, and such other persons or corporations as may be associated with them, their successors and assigns, and that the said company shall have all the rights, powers, and privileges, and be subject to all liabilities, provisions, and limitations set forth in an Act entitled "An Act to provide for and regulate the incorporation of railroad companies in this State," approved December 23rd, 1885.

SEC. 3. That the name of said company shall be "South Eastern Railroad Company."

SEC. 4. The capital stock of said company shall be five thousand dollars, in shares of one hundred dollars each, with the privilege of increasing such capital stock, in such amounts as the said company from time to time by a majority of its stockholders determine to carry out the purpose of this Act: *Provided*, That the said capital stock at no time exceed the sum of five million dollars.

A. D. 1891.
Capital stock.

SEC. 5. When the sum of five thousand dollars shall have been subscribed to the capital stock of said company, the said corporators, or a majority of them, shall within a reasonable time thereafter appoint a time and place for a meeting of said stockholders, of which ten days' notice shall be given in such newspaper or newspapers in this State as they deem necessary; at which time and place the said stockholders may proceed to the organization of said company by the election of not less than three Directors, or as many more as the by-laws to be adopted may determine; which said Directors shall elect one of their number to be the President of said company. The said Board of Directors and said President so elected shall hold their offices for one year and until their successors be elected.

Limit.
Organization.
Notice to be given.
President and Directors.
Term of office.

SEC. 6. That any lease, transfer, or consolidation of the company hereby incorporated, shall be submitted to a meeting of stockholders, and be ratified by a majority of the stockholders before the same shall be legal or binding.

Leases, &c., to be approved by stockholders.

SEC. 7. That the said company shall have power, if need be, to conduct their railroad along, across, and over any public road or roads, rivers, creeks, water, or water courses, that may be in their route: *Provided*, That the passage of the roads or the navigation of the waters be not obstructed thereby.

Crossing of roads and streams.

SEC. 8. That the said railroad company be, and they are hereby, authorized and empowered by and with the consent of the Council of any towns or cities through which they may pass, or at which their road may terminate, to construct their tracks through one or more of the public streets or ways of such towns or cities, and to extend the same to any or all of the wharves or landings in such towns or cities: *Provided*, That in such construction and extension all necessary precaution in extending the work be taken not to obstruct or otherwise impair the use of any street or public way through which the said railroad may be constructed or extended.

Crossing and use of streets.
Extension to wharves.
Proviso.

SEC. 9. That the said railroad company shall have the right and they are hereby authorized and empowered to construct

Branch roads.

A. D. 1891. and operate branch roads from their main line, whenever in their judgment it is their interest to do so.

Operation of completed section.

SEC. 10. That the said railroad company is further authorized and empowered forthwith upon the completion or acquirement by purchase, lease, or consolidation, as hereinbefore provided, of any portion or section of said railroad between any points through which the same may run under its charter, to operate and maintain such portion or section with all the rights, powers, and privileges hereby granted to said company.

Right of way.

SEC. 11. Said railroad company shall have the right to take for its right of way one hundred feet on each side of the centre of its road-bed.

Vessels.

SEC. 12. That said company is also authorized and empowered to build, purchase, own, hold, use, sell, or otherwise dispose of, steamships, steamboats, tugs, lighters and sailing vessels, in connection with their railroad transportation, so as to carry on the business of a general through, coastwise and foreign transportation to and from any point of its lines and connections.

Transportation business.

Payment by subscribers.

SEC. 13. No subscription to the capital stock of the said company shall be valid unless the sum one dollar per share be paid thereon at the time of subscribing.

Defaulting shareholders.

Sale of shares.

SEC. 14. If any stockholder shall fail to pay the instalments required of him on his share or shares by the President and Directors, or a majority of them, within month after the call for the same has been made and advertised in one or more of the papers published in this State, it shall and may be lawful for the President and Directors, or a majority of them, to sell at public auction, and to convey to the purchasers, the share or shares of such stockholder so failing or refusing to pay, giving twenty days' notice of the time and place of such sale, and after retaining the sums due and all expenses incident to the sale, shall pay the surplus to the former owner or his legal representatives; and any purchaser of the stock of the company under the sale of the President and Directors as aforesaid, shall be subject to the same rules and regulations as the original proprietor.

Notice.

Surplus proceeds.

Rights of purchaser.

Public Act.

Duration of charter.

SEC. 15. That this Act shall be held and deemed a public Act, and the rights, powers, and privileges conferred by this Act shall vest and continue in the said company and their successors for, and during the term of forty years, to be computed from the time of the approval of this Act.

Approved December 16th, A. D. 1891.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE
THE SPARTANBURG, CLIFTON AND GLENDALE RAILROAD
COMPANY," APPROVED DECEMBER 23D, 1890.

A. D. 1891.

No. 758.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, *Whereas*, the City Council of Spartanburg has granted unto the corporators hereinafter named the right, privilege and franchise to construct, maintain and operate the railroad hereinafter named, upon and along the streets and alleys of the City of Spartanburg; *and whereas*, the County Commissioners of the County of Spartanburg have granted unto the same parties the same rights, privileges and franchises upon and along the public roads of said County :

Preamble.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That A. H. Leftwich, Geo. E. Ludshaw, H. E. Heinitch, Geo. W. Nicholls, A. E. Moore, Jos. Walker, Jno. B. Cleveland and William King, Jr., their associates, successors and assigns, be, and they are hereby, constituted a body politic and corporate, under the name and style of the Spartanburg, Clifton and Glendale Railroad Company, with all the rights, powers, duties, liabilities and restrictions and privileges incident to such corporations, or which are contained in the Act of the General Assembly entitled "An Act to provide for and regulate the incorporation of railroad companies in this State," approved December 23d, 1885.

Corporators.

Incorporation
and name.Rights and
limitations.

19 Stat., 171.

SEC. 2. That said company shall have power to construct a railroad from the City of Spartanburg to Glendale Factory and Clifton Factory, Nos. 1 and 2, and branch lines from Glendale Factory to Trough Shoals Factory, and from Spartanburg City to Whitney Factory, the route to be determined by the said company, with the right to cross any river, stream or other railroad, and to have power to run such other branches from its main trunk to a distance not exceeding forty miles from said main line as they may deem proper.

Route of road.

May cross roads
and streams.
Branch roads.

SEC. 3. That the capital stock of the said company shall consist of four hundred (400) shares of the par value of one hundred dollars each, amounting in the aggregate to forty thousand dollars, with the privilege to increase the same at a meeting or meetings of the stockholders to be specially called for that purpose, to any amount not exceeding three hundred thousand

Capital stock.

Limit.

A. D. 1891. Books of sub- scription.	dollars ; and the incorporators, or a majority of them, named in this Act, shall have power to open books for the subscription to the capital stock at such times and places as they may deem expedient, and when not less than two hundred shares have been subscribed, and when ten per centum of the amount of stock subscribed has been paid in, the stockholders may elect five or more Directors, (not exceeding thirteen) to serve until the ensuing annual election, or until their successors have been duly elected and qualified ; and the Directors so elected of said company, when it shall have been organized, may, and they are hereby, authorized and empowered to have and to exercise in the name and in the behalf of the company all rights and privileges which are intended to be hereby given ; and should the capital stock be at any time increased, the stockholders at the time of such increase shall be entitled to a <i>pro rata</i> share of such increase upon the payment of the par value of the same.
Directors.	
Powers of Board.	
Rights of stockholders in increased capital.	
Election of directors.	SEC. 4. That the Directors shall be elected annually by the stockholders on the first Monday of November, except the first election, which is provided for in the preceding Section, and shall hold office until their successors are duly elected and qualified ; and if at any time it shall happen that an election of Directors shall not be made on the day designated, the corporation shall not for that reason be dissolved, but it shall be lawful on any other day to hold such election in such manner as may be provided by the by-laws of the company. At all such elections, and at all meetings of the stockholders, each share of stock shall be entitled to one vote.
Deferred elections.	
Voting by stockholders.	
President and other officers.	SEC. 5. That the Directors of said company shall have power from their number to elect a President, and to appoint such other officers, agents, and servants as the business of the company may require, to allow them a suitable compensation, require security for the faithful discharge of their duties, and to regulate the terms of office, to make by-laws not inconsistent with law, for the management of the property and regulation of the affairs of the company, and for the transfer of its stock, for the payment of subscriptions to the stock, for the forfeiture of stock not paid for, and for the disposition of the proceeds thereof, for the calling of regular, special and general meetings of the Directors and of the stockholders of the company, and fixing the place or places where the same may be held, and to provide for all other matters which may be regulated by by-laws, and from time to time to repeal, annul or re-enact the same, and to declare such dividends of profits of the said company as
By-laws.	
Meetings.	
Dividends.	

they may deem proper: *Provided*, That no dividend shall be declared when the capital stock would be impaired thereby.

A. D. 1891.

SEC. 6. That the said company be, and is hereby, authorized and empowered, subject to such conditions and regulations as may have been prescribed by the Mayor and City Council of the city of Spartanburg to construct, maintain and operate a railway with single or double tracks and turnouts, turn-tables, side-tracks and switches, as and wherever the same may be necessary and convenient, through, on, and along any or all of the streets of the said city of Spartanburg now existing, or that may hereafter be opened or extended, and to extend its said railway, or build lateral branches beyond the corporate limits of the said city, by consent of the County authorities, or any such extension or lateral branch beyond the said corporate limits; and the said company shall have the rights and powers for acquiring and condemning any right of way that are provided in the general laws of this State relating to the formation of railroad companies.

Construction of road in city of Spartanburg.

Rights of way.

SEC. 7. That the Spartanburg, Clifton and Glendale Railroad Company shall have power to take and hold such voluntary grants of real estate, and other property, as may be made to it to aid in the construction, maintenance and accommodation of its road, but the real estate so received by voluntary grants shall be held and used for the purpose of such grant only; to purchase, hold and use all such real estate as may be necessary for the construction and maintenance of its road, and the stations, terminal facilities, and all other accommodations necessary to accomplish the object of its incorporation, and to sell, lease or buy any land necessary for its use; to cross, and intersect, or join, or unite, its railroad with any other railroad heretofore or hereafter constructed at any point in its route, with the necessary turnouts, turn-tables, sidings and switches, and other conveniences necessary in the construction of such road, and may run over any railroad's right of way necessary or proper to reach its depot; to take and convey persons or property over its railroad by the use of steam, electricity or animals, or any other motive power not deemed objectionable by the Mayor and City Council of said city, and to receive compensation therefor, and to do all those things incident to railroad business; to erect and maintain railroad buildings, stations, fixtures and machinery for the accommodation and use of its passengers and business; to regulate the time and manner in which passengers and property shall be transported, and the compen-

Real estate.

Rights as to other roads.

Rights of transportation.

Buildings, &c.

Schedules and changes.

A. D. 1891.

Loans, mortgages, and trust deeds.

sation to be paid therefor, subject to any law of this State upon the subject, and to the ordinances of said city; to borrow such sum or sums of money, at such rates of interest, and upon such terms, as said company or its Board of Directors may authorize or agree upon, and may deem necessary or expedient, and may execute one or more trust deeds, or mortgages, or both, if occasion require, upon all or any of its property, including the rights and franchises hereby granted, for the amount or amounts borrowed, as its Board of Directors may deem expedient, and in such deed or mortgage may make such provisions for transferring its railroad, depots, stations, buildings, grounds, rights, privileges, franchises, immunities, machine houses, rolling stock, animals, furniture, tools, implements, appendages and appurtenances used in connection with its railroad, as security for any bonds, debts, or sums of money that may be secured by such deed or mortgage, as they shall think proper.

Rights of purchaser thereunder.

And in case of a sale, or foreclosure under such deed or mortgage, the party or parties acquiring title thereunder, and their associates, successors or assigns, shall have or acquire thereby, and shall exercise and enjoy thereafter the same rights, privileges, grants, franchises, immunities and advantages, in or by such deed or mortgage, enumerated or conveyed, as fully and absolutely in all respects as the incorporators, officeholders, shareholders and agents of said company created, might or could have done had not such sale taken place; such purchaser or purchasers, their associates, successors, or assigns, may proceed to organize anew by filing articles of association, and electing directors, as provided in the general law authorizing the formation of railroad companies; and such purchaser or purchasers, and their associates, shall thereupon be a corporation, with all the powers, privileges, and franchises conferred by, and be subject to the provisions of, this Act.

Reorganization.

Time for construction limited.

SEC. 8. That all powers, rights, privileges and immunities, hereby granted, shall cease, determine and be void unless said Company shall, within six months from the passage of this Act, build, equip and put in permanent operation at least one-half mile of said railroad, and unless it shall complete said railroad to Glendale and Clifton Nos. 1 and 2 within three years from the passage of this Act.

Repealing clause.

SEC. 9. That all laws, and parts of laws, in conflict with this Act be, and the same are hereby, repealed.

When to take effect.

SEC. 10. That this Act shall be deemed, and taken, a public

Act, and shall go into effect immediately upon and after its passage and continue in force for thirty years.

A. D. 1891.

Duration.

Approved December 24th, A. D. 1891.

AN ACT TO CHARTER THE SUMTER, LAKE CITY AND CONWAY No. 759.
RAILWAY COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Henry W. Mackey, Marshall H. Fields, Adam Young, John B. Edwards, Adam Boyd, Henry C. McCutchen, Thomas J. Williamson, Aaron P. Prioleau, C. A. Ravenel and Richard Brown, and such other persons or corporators as may be associated with them, and their successors and assigns, be, and they are hereby, created a body politic and corporate by the name and style of "The Sumter, Lake City and Conway Railroad Company," and by that name may sue and be sued, plead and be impleaded, in any Court of law and equity in this State or in the United States; may make by-laws and appoint all necessary officers and prescribe their duties, and may accept, purchase, hold, lease or otherwise acquire any property, real or personal, necessary or convenient to and for the purpose hereinafter mentioned, and to use, sell and convey and dispose of the same as the interest of said company requires; may make contracts, have and use a common seal, do all other lawful acts properly incident to and connected with said corporation, and necessary and convenient for the control and transaction of its business: *Provided*, That their by-laws be not repugnant to the Constitution and laws of this State or the United States.

Corporators.

Incorporation and name.

Powers.

By-laws and officers.
Property rights.

Contracts and other acts.

Proviso.

SEC. 2. That said company be, and is hereby, authorized and empowered to construct, maintain and operate a railroad extending from the city of Sumter, and in Sumter County, through Sumter County, through Clarendon, via the town of Bethlehem, through the County of Williamsburg, via the town of Lake City, and through the County of Horry to the town of Conway in this State.

Route of road.

SEC. 3. That the capital stock of said company shall be ten

Capital stock.

A. D. 1891.	thousand dollars, in shares of twenty-five dollars each share,
Limit.	with the privilege of increasing said capital stock in such amount as said company may by a majority vote of stockholders determine, to carry out the purposes of this Act, said capital stock not to exceed, however, the sum of one million dollars, and such shares to be transferable in such manner as the
Organization.	by-laws may direct. That when the sum of five thousand dollars shall have been subscribed to the capital stock of said company, the said corporation, or any twelve or more of them, shall, within a reasonable time thereafter, at a meeting of the corporators called as hereinafter directed, appoint a time and
Notice.	place for the meeting of said stockholders, of which thirty days' notice shall be given in such newspaper of the State as they may deem necessary, at which time and place the said stockholders may proceed to the organization of said company
President and Directors.	by the election of a President and eight Directors, who shall hold their offices for one year and until their successors are elected, which shall be the first Board of Directors, and which
Annual elections.	Board in their by-laws shall prescribe the time and manner of holding their subsequent annual elections for President and Directors, subject to the approval of the stockholders at their ensuing annual meeting.
Books of subscription.	SEC. 4. That for the purposes of raising the capital stock for said company hereby incorporated, it shall be lawful to open books of subscription at such times and places as the said cor-
Character of subscriptions.	porators may appoint; and the said subscription to the said capital stock may be made in lands, money, bonds, machinery, material and work, at such rates as may be agreed upon with
Bonds and mortgages.	said company; and said company shall have power to mortgage its property and its franchises and issue bonds on such terms and conditions, and for such purposes and uses of said corporation as the said company may from time to time deem necessary.
Rights of way and of condemnation.	SEC. 5. That this company shall enjoy the benefits and be subject to the provisions of Sections 1550 to 1561 inclusive of Chapter 40 of the General Statutes of South Carolina, with respect to the manner of acquiring lands or the right of way over lands required by it.
Rights as to other roads.	SEC. 6. That the said company shall have full power and authority to connect with or cross any other railroad or railroads on the proposed line, and also to purchase, lease or consolidate with any other railroad or railroads in or out of the State, in such manner and upon such terms as may be agreed to between such

railroad company: *Provided*, That the same be not inconsistent with the laws of this State: *And provided, further*, That upon the consolidation, purchase or lease by the said company of any other railroad, now chartered or hereafter to be chartered, between any points through which said railroad hereby incorporated may run under this charter, the route of the other such railroad may be the route of the said Sumter, Lake City and Conway Railroad Company.

A. D. 1891.
Proviso.
Route of consolidated road.

SEC. 7. That the said railroad company is further authorized and empowered forthwith upon the completion and acquirement by purchase, lease or consolidation, as hereinbefore provided, of any portion or section of said railroad between any points through which the same may be run under this charter, to operate and maintain such portion or section with all the rights, powers and privileges hereby granted to this company.

Operation of completed sections.

SEC. 8. That the said railroad company shall have every right and privilege and power conferred by the general laws of this State for the purpose of acquiring such lands or rights of way as they may require for the location or construction of the said road or for the erection or location of depots, warehouses, stations or other necessary establishments, or for extending or altering the same, and the said company shall have the benefit of every process or proceeding, and shall be subject to all the restrictions provided or imposed by the laws of this State.

Rights of way and of condemnation.

SEC. 9. That this Act shall be a public Act and take effect after its passage, and shall continue in force for fifty years: *Provided*, This charter shall cease and determine unless construction of said railroad is commenced on or before the first day of January, 1894, and completed on or before the first day of January, 1899.

Public Act.
Duration.
Time for construction limited.

Approved December 16th, A. D. 1891.

A. D. 1891. AN ACT TO AMEND THE CHARTER OF THE SUMTER AND WATEREE
RAILROAD COMPANY.

No. 760.

A. A. 1889, § 7,
ante 422, amended.

Time for
construction.

Change of
name.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, Section 7 of the Act of the General Assembly No. 256, approved December 23d, A. D. 1889, be, and is hereby, amended by striking out the words "is commenced within two and completed within five years from the passage of this Act," and inserting therefor the words "shall be commenced by the first day of January, A. D. 1893, and be completed within five years thereafter." Also, by adding at the end of said Section the words: "That said railroad company may change its corporate name, and take such other as it shall deem proper, giving four weeks' public notice thereof in a newspaper published in the city of Sumter." So that said Section when so amended shall read as follows:

Time for con-
struction limited.

Change of
name.

SECTION 7. That the charter shall cease and determine unless the construction of said railroad from the city of Sumter to the town of Camden shall be commenced by the first day of January, A. D. 1893, and be completed within five years thereafter; and the provisions of this charter to be of force for thirty years. That said railroad company may change its corporate name, and take such other as it shall deem proper, giving four weeks' public notice thereof in a newspaper published in the city of Sumter.

Approved December 18th, A. D. 1891.

No. 761. AN ACT TO INCORPORATE THE WALTERBORO, SUMMERVILLE AND
OTRANTO RAILROAD.

Incorporation.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That H. St. J. Card, Robert A. Pringle, S. W. Simons, S. Lewis Simons and W. Gibbs Whaley, and such other persons as may be associated with them and their successors and assigns, be, and the same are hereby, created a body politic and corporate.

SEC. 2. That the name and style of such company shall be The Walterboro, Summerville and Otranto Railroad.

A. D. 1891.

Name.

SEC. 3. That the said company is hereby authorized to construct and operate a railroad from any convenient point in or near the town of Walterboro, by any convenient route through the County of Colleton, to any convenient point in or near the town of Summerville, and through said town of Summerville, by any convenient route to Otranto station, in the County of Berkeley, with proper and suitable branches and side tracks, not to exceed ten miles in distance from the main track, and said company may begin operations either from the town of Walterboro, Summerville or Otranto station: *Provided*, That work on said road shall be begun within two years, and be completed and in operation within five years, from the date of the issuing of this charter.

Route of road.

Branch roads.

Time for construction limited.

SEC. 4. That the capital stock of said company shall be five hundred thousand dollars, in shares of one hundred dollars each, with the privilege of increasing such capital stock in such amounts as the said company from time to time may by a majority vote of its stockholders determine: *Provided*, That the said capital stock shall at no time exceed the sum of one million dollars. *Provided, further*, That said company may organize and begin operations when the sum of ten thousand dollars shall have been subscribed to the capital stock of said company.

Capital stock.

Limit.

Organization.

SEC. 5. That subscriptions to the capital stock of said company may be made in labor, material, lands, money or other personal property, at such rates and on such terms as may be agreed upon at the time of subscription, and each shareholder shall have the right of one vote for each share of stock held by him.

Character of subscriptions.

SEC. 6. That said company in the construction and operation of said railroad shall have full power and authority to connect with or cross any other railroad or railroads on the proposed line.

Rights as to other roads.

SEC. 7. That said company shall be entitled to all the powers and franchises given, and subject to all the restrictions and liabilities imposed by; the provisions of an Act entitled "An Act to provide for and regulate the incorporation of railroad companies in this State," approved the twenty-third day of December, A. D. 1885, as fully as if the same were herein specifically repeated.

Rights and limitations.

19 Stat., 171.

SEC. 8. That this Act shall be held and deemed a public Act

Public Act.
Duration.

A. D. 1891. and shall continue of force for a term of thirty years and until repealed.

Approved December 23rd, A. D. 1891.

No. 762. AN ACT TO PROHIBIT THE SALE OF DOMESTIC WINES IN ANDERSON, KERSHAW, LANCASTER, OCONEE, PICKENS, MARION, LAURENS, ABBEVILLE, AND EDGEFIELD COUNTIES, IN LESS QUANTITIES THAN FIVE GALLONS, EXCEPT BY DRUGGISTS OR LICENSED SALOON KEEPERS, WITHIN THE LIMITS OF AN INCORPORATED CITY, TOWN, OR VILLAGE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the first day of February, 1892, it shall be unlawful for any person or persons in Anderson, Kershaw, Lancaster, Oconee, Pickens, Marion, Laurens, Abbeville, and Edgefield Counties, to sell or offer for sale, or dispose of by traffic, barter or otherwise, domestic wines in less quantities than five gallons, except within the limits of a corporate city, town, or village where the sale of intoxicants is now allowed or may hereafter be allowed under the operations of the law.

SEC. 2. That any person or persons violating the provisions of the preceding Section of this Act shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in a sum of not less than one hundred dollars or imprisonment for a term of not less than six months.

SEC. 3. That the provisions of this Act shall not apply to druggists selling wines under a prescription from a regularly licensed and practising physician as now provided by law, or for sacramental purposes.

SEC. 4. That this Act shall be a public Act and shall continue in force until repealed, and all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed so far as the same relates to Anderson, Kershaw, Lancaster, Oconee, Pickens, Marion, Laurens, Abbeville, and Edgefield Counties.

Approved December 24th, A. D. 1891.

AN ACT TO EXTEND THE CHARTER OF THE TOWN OF COKESBURY.

A. D. 1891.

No. 763.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the town of Cokesbury as enacted in an Act entitled "An Act to grant, renew and amend the charters of certain towns and villages therein mentioned," approved the 9th of March, 1871, be, and the same is hereby, continued in force for the period of twenty years from the approval of this Act, and until the end of the session of the General Assembly of said State then next following.

Renewed for
20 years.
14 Stat., 642.

Approved December 22nd, A. D. 1891.

AN ACT TO AMEND AN ACT TO ALTER AND AMEND THE CHARTER OF THE TOWN OF GREENWOOD, SOUTH CAROLINA, PASSED AT THE REGULAR SESSION 1871-72, AND APPROVED MARCH 13TH, 1872. No. 764.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Sections 1 and 2 of said Act be repealed and the following be inserted in lieu thereof:

A. A. 1871, 15
Stat., 223, amended.

SECTION 1. That all persons residing in the Town of Greenwood, South Carolina, are hereby declared to be a body politic and corporate by the name and style of the Town of Greenwood, and its corporate limits shall be an irregular polygon, the vertices of whose angles shall be at or near the following points and more fully described by the following lines: Beginning at the bridge over ravine on the Abbeville Road west of I. W. Hill's, the line shall run west of Murphey's residence northward from the point of starting, to a rock fifty yards north of the Columbia and Greenville Railroad; from this rock it shall run eastward to the junction of the Cokesbury and Stony Point Roads; from thence run northeast of residence of late Captain Tarrant to a large pine tree on the Abbeville Road, thence it shall run southward to a point on the New

Incorporation,
name and limit.

A. D. 1891.

Market Road in a flat beyond residence of Joel W. Abney; from this point it shall run to the crossing on Columbia and Greenville Railroad at the union of lands of R. P. Pinson and J. B. Reid; from this crossing it shall run to the old Mathis Road on a straight line west; from this point it shall run north along the Mathis Road to the ford over Hard Labor Creek on New Cut Road; from this point it shall run northeast to the bridge over ravine west of I. W. Hill's, where survey began.

Government of
the town elec-
tion.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be elected on the second Monday in every January, ten days' notice thereof having been previously given, and all male inhabitants of said town who are qualified under the Constitution and laws of this State to vote for members of the Legislature shall be eligible to the office of Intendant and Wardens. Male inhabitants who are qualified to vote for members of the Legislature by the Constitution of this State and by the Registration Act of 1882, and who have resided in the corporate limits for sixty days immediately preceding each election, shall be entitled to vote for Intendant and Wardens.

Electors.

Public Acts.

18 Stat., 764.

Duration.

SEC. 3. That so much of the Act of 1871-2 not since repealed, the amended Act of 1884, and this Act, shall be taken and deemed as public Acts immediately after its enactment, and shall continue in force for twenty years.

Approved December 22nd, A. D. 1891.

NO. 765. AN ACT TO ENABLE AND AUTHORIZE THE SCHOOL DISTRICT OF THE TOWN OF GREENWOOD TO ISSUE BONDS FOR THE PURPOSE OF PURCHASING SCHOOL PROPERTY AND BUILDING PUBLIC SCHOOL HOUSES IN THE TOWN OF GREENWOOD.

Bonds
authorized.

Purposes.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the School district of the town of Greenwood is hereby permitted and authorized to issue eight thousand dollars of six or seven per cent. bonds for the purpose of paying for school property and building one or more public school buildings in the

town of Greenwood: *Provided, That a majority of the qualified voters of said School District shall be in favor of such issue, as expressed at an election held for that purpose.* A. D. 1891.
To be approved
by election.

SEC. 2. That the Trustees of said School District are hereby required to give three weeks' notice by advertisement, and they shall appoint the managers, receive the returns, and declare the result of said election. Duties of Trustees as to election.

SEC. 3. That the said School District of the town of Greenwood is hereby declared to be a body corporate for the purpose of issuing said bonds, and when issued they shall be signed by the Chairman of the Board of Trustees, shall run for a period of twenty-five years, their coupons shall be receivable for all taxes in said School District, and they shall constitute a first lien on all property which may be paid for, purchased, or improved from their proceeds. Incorporation.
Particulars relating to bonds.

SEC. 4. That for the purpose of paying the interest on said bonds, and the principal, when due, it shall be the duty of the County Auditor of the County of Abbeville, or such other officer as may be charged with the assessment of taxes, to compute annually the amount necessary to be raised, and to levy the same upon all the real and personal property in said School District, and the amount so levied shall be collected by the County Treasurer of the County of Abbeville, and held by him for the purpose of paying the said interest or principal, if any be due, and shall be used for no other purpose whatever. Tax to pay bonds and interest.
Collection and disbursement.

SEC. 5. That it may be lawful, and the Board of Trustees of said School District are hereby permitted and authorized to use any fund which may be raised in said School District by taxation in paying for or improving public school property. Used for improvements.

Approved December 16th, A. D. 1891.

A. D. 1891.

No. 766.

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NEW SCHOOL DISTRICT IN ABBEVILLE COUNTY, AND TO AUTHORIZE THE ISSUE OF BONDS BY SAID SCHOOL DISTRICT, AND THE LEVY OF A LOCAL TAX THEREIN.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of establishing and maintaining public free schools in the town of Abbeville, the territory included in the corporate limits of said town, be and the same is hereby declared to be a separate School District.

Town of Abbeville constituted a school district.

Board of Trustees.

SEC. 2. That W. A. Templeton, F. B. Gary, J. F. Miller, J. T. Robertson, J. G. Edwards, J. C. Klugh, J. W. Sign, R. M. Hadson, W. O. Bradley, and their successors in office, to be elected under the provisions of this Act, be and they are hereby constituted a Board of Trustees for said School District.

Name, incorporation, rights, &c.

16 Stat., 571.

SEC. 3. That said School District shall be known as the School District of the Town of Abbeville, and shall be a body politic and corporate, with such government, rights, privileges, and liabilities as provided for School District by the school law of South Carolina, approved March 22, A. D. 1878.

Bonds authorized.

SEC. 4. That the said School District of the Town of Abbeville is hereby permitted and authorized to issue twelve thousand dollars of seven per cent. bonds, of the denomination of one hundred dollars, for the purpose of purchasing lots and erecting one or more school buildings in the town of Abbeville: *Provided*, That a majority of the qualified electors of said School District voting, shall be in favor of issue to be expressed in an election to be held for that purpose.

If ordered by election.

Notice of election.

SEC. 5. That the Trustees of said School District, provided for in this Act, are hereby required to give three weeks' notice by advertisement in the newspapers at Abbeville, of such election, to be held on the fourth Tuesday of January, A. D. 1892, and they shall appoint the managers, receive the returns and declare the result of said election.

Conduct of election.

Incorporation.

Particulars as to bonds.

SEC. 6. That the said School District of the Town of Abbeville is hereby declared to be a body corporate, for the purpose of issuing said bonds, and when issued they shall be signed by the Chairman and Secretary of the Board of Trustees; shall run for a period of thirty years, and they shall constitute a first lien upon all property bought or erected for school purposes from their proceeds. That said bonds shall not be taxable for State, County or Municipal purposes.

Non-taxable.

SEC. 7. That for the purpose of paying the interest on said bonds and the principal, when due, it shall be the duty of the County Auditor of the County of Abbeville, or such other officer as may be charged with the assessment of taxes, to compute annually the amount necessary to be raised, and to levy the same upon the real and personal property in said School District, and the amount so levied shall be collected by the County Treasurer of the County of Abbeville, and held by him for the purpose of paying the said interest, or principal, if any be due, and shall be issued for no other purpose whatever.

A. D. 1891.

Tax to pay
bonds and in-
terest.

Collection and
disbursement.

SEC. 8. That for the purpose of defraying the expenses of said school herein provided for, it shall be the duty of the County Auditor upon the recommendation of the Board of Trustees, to assess upon the property returned for taxation within the corporate limits of said school district, an annual tax of not more than two mills to be collected annually for a period of five years by the County Treasurer of Abbeville County, which when collected shall be paid as hereinafter directed: *Provided*, That a majority of the qualified electors of said school district voting shall be in favor of said tax, to be expressed by ballot at the election herein provided, for the issue of bonds, and that such compensation as the said Trustees think proper shall be paid to the County Auditor and Treasurer for the services herein required of them.

Annual special
school tax.

If directed by
the electors.

Compensation.

SEC. 9. That the Trustees herein provided for shall have exclusive control of the free schools in said school district, and shall be invested with all the powers of school trustees under the general school law.

Powers of
trustees.

SEC. 10. All assessed and collected for school purposes shall be paid out by the County Treasurer for salaries and other purposes upon the warrant of the Chairman and Secretary of the Board of Trustees, and all school funds arising from the poll tax, the constitutional school tax and from any and all other public sources, applicable to said school district, shall be paid out by the said Treasurer in like manner and upon a like warrant.

Disbursement
of school funds.

SEC. 11. That said Board of Trustees shall at the close of each scholastic year make a full report of all their transactions pertaining to the conduct of the school for the preceding year, at a public meeting called for that purpose when it shall be lawful for the legally qualified electors to elect a Board of Trustees for the ensuing year: *Provided*, That the Board of Trustees herein provided shall continue in office until the end of the scholastic

Annual report
by trustees.

Term of
first board.

A. D. 1891.

Vacancies.

Public Act.
When to take effect.

year in 1893. That the Board of Trustees are empowered to fill vacancies in the said Board less than one year.

SEC. 12. That this Act shall be deemed a public Act, and shall become of force immediately upon its approval.

Approved December 18th, A. D. 1891.

NO. 767. AN ACT TO INCORPORATE THE "CONNIE MAXWELL ORPHANAGE," AND TO PRESCRIBE THE POWERS AND DUTIES OF THE BOARD OF TRUSTEES THEREOF.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Corporators. Dr. J. C. Maxwell, Rev. W. T. Hundley, Rev. I. L. Vass, Rev. J. D. Pitts, W. F. Cox, J. W. Wilkes, B. P. Smith, H. P. McGee, E. M. Lipscomb, S. P. Brooks, J. W. Sproles, Wm. H. Lyles and J. K. Durst, now acting as a Board of Trustees, appointed under the authority of the State Convention of the Baptist denomination in South Carolina, and their successors in office, be, and

Incorporation and name. they hereby are, created a body politic and corporate under the name and style of the "Connie Maxwell Orphanage," and by

Powers. that name may sue and be sued, plead and be impleaded, in any Court of law or equity; may have a common seal, and alter the same at pleasure; shall have perpetual succession; may receive,

Property rights. hold, use and enjoy, for the purpose hereinafter expressed, by gift, devise, purchase or otherwise, all manner of estate, real, personal or mixed, to an amount not exceeding five hundred thousand dollars, and the same to alienate, sell, transfer, lease

Other rights. and convey, by order of the Board of Trustees; and do all other acts and things that may be hereafter expressed in this charter, not repugnant to the Constitution and laws of this State or of the United States.

Object's of the corporation. SEC. 2. The object of this corporation shall be to procure the control of orphans and destitute children of Baptist parents, and of such other destitute and helpless children as the Board of Trustees may think proper to receive, for the purpose of supporting and educating them in an institution to be prepared and provided for that purpose by the said Board of Trustees;

or, when deemed best in any case, to secure any such child a home and education outside of said institution, as more fully hereinafter expressed. A. D. 1891.

SEC. 3. That said, the State Convention of the Baptist de- Board of Trustees.
nomination in South Carolina, may, before or after the final passage hereof, elect a Board of Trustees to succeed the Trustees above named, and may prescribe the number and tenure of office of such trustees, and may prescribe such rules and regulations for the government of said Orphanage as it may deem advisable: *Provided*, The same be not inconsistent with the laws of this State or of the United States, and any action of said convention, herein authorized, before the final passage of this Act, is hereby ratified and confirmed. Proviso.

SEC. 4. That the said corporation shall, in the discretion of the Board of Trustees, have power to receive into its custody Power to take charge of orphanage. and control such children as are referred to in the second Section of this Act, whenever such child has been, or may be, committed to its custody by the person having the rightful custody and control thereof, or when such child may in good faith be committed to its custody and control by any two good citizens of this State, with the approval of the County Commissioners of the County where the child is found, because such child is found by them to be without home and protection and moral and religious training: *Provided*, The costs at- Custody, how acquired.
tending the proceedings shall be allowed by the County Commissioners and paid out of the County funds. Said corporation, for the purpose of protection of the person and rights of any child committed to its care, is hereby invested with all the rights and powers of a parent or natural guardian, with the right to the exclusive custody of the same until the age of eighteen years, if a girl, and twenty-one years, if a boy, unless disposed of sooner, as provided by this charter or by the regulations adopted for the government of said Orphanage as herein authorized; and should any such child so committed to its care become unmanageable, or incorrigible, he or she may be discharged by said Trustees from said Orphanage. Costs to be paid by County.
To have the rights of parent or guardian.
Right to discharge.

SEC. 5. That said corporation may, through its President or Vice President, in the manner prescribed by its by laws, permit any suitable person to adopt any child in its custody and control as his or her own child; and said corporation may, through its President or Vice President, in the manner prescribed by its by-laws, bind out to any suitable person any child in its custody and control as an apprentice. The adoption May commit child to others.
And bind out.

- A. D. 1891.** herein provided for shall be by written instrument, executed by said corporation, by its President or Vice President on the one part, and the party adopting the child upon the other, and shall be executed and proven as deeds are required to be, and may be recorded in the office of the Register of Mesne Conveyances for Abbeville County. It shall contain all suitable covenants for the care, education and nurture of such child; and
- Instrument of adoption.** when such instrument shall be so executed and recorded, such child shall, if expressly so stipulated therein, be considered as the child of such person so adopting him or her, and be as capable of inheriting as though he or she were the lawful child of said person; and said person shall have the same parental control, and be under the same responsibilities, as if the child so adopted were his or her own child; but such adoption shall not debar such child of any right of inheritance to which he or she would have otherwise been entitled: *Provided*, That so long as said child may be an infant, said corporation may, for a violation of any of the covenants in said instrument, reclaim said child by a writ of *habeas corpus*, or by surrender, if the party adopting is willing so to do, and in the event of such reclamation, said instrument and act of adoption shall thenceforth be and become null and void. Such apprenticeship shall be effected in like manner, and may contain any suitable covenants, including a covenant that such child shall not be treated as a servant, but shall be only to a person *sui juris*, and the wife of such person need not unite. Besides the remedies granted by law upon such articles, said corporation may have like remedy as above prescribed upon articles of adoption, with like effect. Such apprenticeship shall expire at twenty-one years of age, where the apprentice is a boy, and eighteen years of age, where she is a girl, or sooner if the articles so prescribe. A child may be adopted by both husband and wife in the same instrument. Instruments of adoption and apprenticeship shall be conclusive evidence of the power of said corporation to so dispose of said child, as between said corporation or said child, and its real or personal representative, and the person so adopting it or receiving it as an apprentice and his or her real and personal representative.
- Covenants.**
- May become lawful child of person adopting.**
- But not to bar child of other inheritance.**
- Reclamation of the child.**
- To whom apprentices may be bound.**
- Remedies of the corporation.**
- Expiration of articles.**
- Powers over the child.**
- Exemption from taxation.**
- By-laws.**
- SEC. 6.** That the property, money and estate and rights of said corporation shall be exempt from all taxation by State or local laws for any purpose whatever.
- SEC. 7.** That the Board of Trustees shall have power to adopt such by-laws for the regulation of the affairs of the corporation

as may be authorized by the said "The State Convention of the Baptist Denomination in South Carolina," and to procure, or have erected and constructed such buildings and improvements, and to appoint and employ such officers, superintendents, teachers and other persons, and to do such other things as are necessary and proper to accomplish the objects contemplated by this charter, not inconsistent with the laws of this State or of the United States.

A. D. 1891.

Buildings.

Officers, &c.

Approved December 22nd, A. D. 1891.

AN ACT TO AMEND SECTION 7 OF AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED AN ACT TO INCORPORATE THE FARMERS' LOAN AND TRUST COMPANY OF ABBEVILLE COUNTY," APPROVED DECEMBER 23D, 1889. No. 768.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 7 of an Act entitled "An Act to amend an Act entitled An Act to incorporate the Farmers' Loan and Trust Company of Abbeville County," approved December 23d, 1889, be, and the same is hereby, amended by striking out the word "ten" on the tenth line of said Section, and inserting the word "fifty" in lieu thereof, so that said Section, as amended, shall read as follows:

A. A. 1889, § 7, ante 434, amended.

SECTION 7. The first meeting of the subscribers to the capital stock for the election of directors shall be held at such time and place as may be determined upon by the corporators, after ten days' notice by the corporators to the stockholders. At this meeting, or a subsequent one, if deemed proper, all necessary rules and by-laws for the proper conduct of business, annual election of officers, time of such election, term of office and manner of removal, regulations for increase of stock, and any other matters, shall be adopted. No stockholder to have more than fifty shares. Directors must be citizens of the State and hold not less than five shares of stock.

Section as amended.

First meeting of subscribers.

Rules and by-laws.

Shares of one person. Who may be a director.

Approved December 18th, A. D. 1891.

A. D. 1891.

No. 769.

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NEW SCHOOL DISTRICT LYING IN AIKEN AND BARNWELL COUNTIES, TO BE KNOWN AS "EDISTO RIVER SCHOOL DISTRICT."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a new school district is hereby established from that portion of Aiken and Barnwell Counties to be known as "Edisto River School District," and shall be embraced in the following area: Taking the Edisto River as the northern boundary, Yarrow Branch as the eastern boundary, up to Ready Branch; thence to the head of Ready Branch, and from the head of Ready Branch in a straight line to S. G. B. Webb's mill, on the waters of Pond Branch; thence down Pond Branch to the Edisto River.

First Board
of Trustees.

SEC. 2. That O. L. Weeks, J. P. Kitching, E. M. Boylston, G. W. Weeks, M. W. Kitching, be and are hereby appointed a Board of Trustees for said school district for the term of one year, and until their successors are appointed by the Superintendent of Education and qualify as such.

Powers of Board.

SEC. 3. That the said Board of Trustees shall have the following powers and duties: 1st. To discharge the duties of School Trustees, and to have all the powers, privileges, rights, and liabilities now possessed and pertaining to School Trustees. 2d. To determine the studies and class books to be used in the schools of said district. 3d. To elect and dismiss the teachers, to prescribe their duties and term of office, and to make rules for the government of the schools. 4th. To make an annual report of the schools in this district to the Superintendent of Education on or before the first day of October in each year, to be forwarded through the office of the School Commissioner of Aiken County. 5th. To take charge and keep in order all buildings and other property belonging to or used for carrying on the schools of the district herein created, and to purchase or erect new school buildings as they may consider necessary.

Books.

Teachers and
government.

Annual report.

Buildings and
other property.

Subsequent
boards.

SEC. 4. At the expiration of the term of office, and every two years thereafter, the State Superintendent of Education shall appoint five persons resident in said school district as Trustees, and he shall likewise fill any vacancy which may occur in said Board.

Vacancy.

Officers of Board.

SEC. 5. That the Board of Trustees shall elect from its members a Chairman and also a Secretary and Treasurer.

SEC. 6. That the Chairman shall call meetings of the Board whenever, in his judgment, it is necessary, or whenever three (3) members of the Board shall in writing request him so to do.

A. D. 1891.
Meetings of Board.

SEC. 7. That the School Commissioners of Aiken and Barnwell Counties shall have jurisdiction only over the schools and educational interests of their respective Counties not comprised within the limits of Edisto River School District.

Jurisdiction.

SEC. 8. That said school district is hereby authorized and empowered to levy on all real and personal property returned in said district a local tax, not exceeding two (2) mills on the dollar in one year, to supplement the general tax for the support of schools, by the persons and in the mode following, to wit: The said Board of Trustees, if they deem it expedient, shall, on or before the fifteenth day of May, 1892, and on or before the same day in each succeeding year, call a meeting in said school district of all the legal voters living in said school district and returning real or personal property therein: *Provided*, That public notice of said meeting, specifying the time, place and object, shall be given at least ten (10) days before said meeting by posting the same in three conspicuous places in said school district, and by publishing the same twice in one of the newspapers having the largest circulation in said school district. The persons answering the above designation, when thus assembled, shall appoint a Chairman and also a Secretary, adjourn from time to time, and decide what additional tax, if any, shall be levied. No tax thus levied shall be repealed at a subsequent meeting within the same fiscal year. The Chairman of said meeting shall within one week thereafter notify the Chairman of said Board of Trustees, and the County Auditor of Aiken and Barnwell Counties, respectively, of the amount of the tax thus levied, and the County Auditors shall at once assess such tax on all real and personal property returned in said school district, and the County Treasurers of said Counties shall collect said tax with the other taxes for the same year, and said tax shall be liable to like process and penalties as are State and County taxes.

Special school tax.

School district meeting.

Notice of meeting.

Powers of meeting.

Special tax.

Notification, assessment, and collection of tax.

SEC. 9. The County Treasurers of the Counties of Aiken and Barnwell shall hold all moneys arising from the Constitutional school tax and poll tax to which said school district may be entitled under the general provisions of law, or under the provisions of this Act, subject to the warrant of the Board of Trustees of said school district: *Provided*, Each of said

Proceeds of school taxes.

Bond of trustees.

A. D. 1891. trustees shall enter into bond in the sum of one hundred dollars conditioned for the faithful performance of his duty.

Liability of county treasurer. SEC. 10. All moneys received by the said County Treasurers from the local tax herein shall be protected by the official bond of said Treasurers, and shall be paid out only on the warrant of the Board of Trustees of the said school district.

Repealing clause. SEC. 11. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 22nd, A. D. 1891.

NO. 770. AN ACT TO CREATE A SEPARATE SCHOOL DISTRICT FROM PORTIONS OF AIKEN AND ORANGEBURG COUNTIES, INCLUDING THE TOWN OF SALLY, IN AIKEN COUNTY.

Creation, area, and name. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That those portions of Aiken and Orangeburg Counties lying within the following boundary lines, to wit: On the north on the Perry School District and extension of the same to the Columbia and Blackville road, east on the Columbia and Blackville road, west on the Smythe Academy District, and south on a line parallel with the aforesaid northern boundary line, and crossing the Blackville, Alston, and Newberry Railroad at a point two and a half (2½) miles south of the town of Sally, be, and is hereby, constituted a new school district, to be known as the Sally Graded School District.

Board of trustees. SEC. 2. That D. H. Sally, J. M. Price, A. L. Sawyer, H. H. Sally, H. A. Sally, B. A. Corbett, and J. H. Riley be, and the same are hereby, constituted a Board of Trustees for the Sally Graded School District, and their successors to be elected by the said Board of Trustees and thereupon appointed by the Superintendent of Education.

Powers of board. SEC. 3. That the said Board of Trustees shall have the following powers and duties: 1st. To discharge the duties of school trustees, and to have all the powers, privileges, rights, and liabilities now possessed by and pertaining to school trustees. 2d.

Books. To determine the studies and class books to be used in the

schools of said district. 3d. To elect and dismiss the teachers, to fix their salaries, to prescribe their duties and term of office, and to make rules for the government of the schools not inconsistent with the general school laws. 4th. To make an annual report of the schools in this district to the Superintendent of Education on or before the first Monday in October in each year, to be forwarded through the office of the School Commissioner of Aiken County. 5th. To take in charge and keep in order all buildings and other property belonging to or used for carrying on the schools of the district herein created.

A. D. 1891.
Teachers and government.

Annual report.

Buildings and other property.

SEC. 4. That the Board of Trustees shall elect from its members a chairman, also a secretary and treasurer. And that the treasurer shall give a good bond in the penalty of five hundred dollars, conditioned for the faithful performance of his duties as such.

Officers of board.

Bond of treasurer.

SEC. 5. That the chairman shall call meetings of the board whenever, in his judgment, it is necessary, or whenever three (3) members of the board shall in writing request him to do so. That the School Commissioner of Aiken County shall have jurisdiction only over the schools and educational interests of his County not comprised within the corporate limits of the said new school district hereby created under the name of the Sally Graded School District.

Meetings of board.

Jurisdiction.

SEC. 6. That the said school district is also hereby authorized and empowered to levy on all real and personal property returned in the said school district a local tax not exceeding two mills on the dollar in any one year, to supplement the general tax for the support of schools, by the persons and in the mode following, to wit: The said Board of Trustees, if they deem it expedient, shall, on or before the 15th day of January, 1891, and on or before the same day in each succeeding year, call a meeting in the said school district of all the legal voters living in the above named school district, and returning real or personal property therein: *Provided*, That public notice of said meetings, specifying the time, place, and object, shall be given at least ten days before said meeting by posting the same in three conspicuous places in the said school district, and by publishing the same at least twice in one of the newspapers having the largest circulation in the said school district. The persons answering the above designations, when thus assembled, shall appoint a Chairman and also a Secretary, adjourn from time to time, and decide what additional tax, if any, shall be levied. No tax thus levied shall be repealed at a subsequent meeting

Special school tax.

Meeting of taxpayers.

Notice of meeting.

Powers of meeting.

Additional tax.

A. D. 1891. within the same fiscal year. The Chairman of the said meeting shall, within one week thereafter, notify the Chairman of said Board of Trustees and the County Auditor of Aiken County, and the County Auditor of Orangeburg County, of the amount of the tax thus levied on the property in their respective Counties, and the County Auditor shall at once assess such tax on all real and personal property returned in said school district in their respective Counties, and the County Treasurers of said Counties shall collect such tax with the other taxes for the same year; and said tax shall be liable to like process and penalty as are State and County taxes.

Notification, assessment, and collection of tax. **SEC. 7.** The County Treasurer of the County of Aiken shall hold all moneys arising from the Constitutional school tax and poll tax to which said school district may be entitled under the general provisions of law or under the provisions of this Act, subject to the warrant of the Treasurer of the Board of Trustees of said school district.

Proceeds of taxes. **SEC. 8.** All moneys received by the County Treasurer from the local tax herein and liquor license tax shall be protected by the official bond of said Treasurer, and shall, except so much as is payable to the County, be paid out only on the warrant of the said Treasurer of said Board of Trustees of the said school district.

Liability of county treasurer. **SEC. 9.** That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Repealing clause. **SEC. 10.** This Act shall be deemed a public Act, and shall take effect and be of full force immediately after the date of its passage.

Public Act. When to take effect.

Approved December 22nd, A. D. 1891.

No. 771. AN ACT TO AUTHORIZE THE CITY OF AIKEN TO ISSUE BONDS IN AID OF THE AIKEN INSTITUTE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same. That the city of Aiken, through its City Council, under the hand of its Mayor and Treasurer and its corporate seal, shall have the

Issue of bonds authorized.

power, and they are hereby authorized and required, forthwith upon the passage of this Act, to issue bonds of the said city of Aiken to the amount of six thousand dollars for the purpose of aiding the Aiken Institute, an educational corporation of said city, in paying off the debt for the erection of their school building, said bonds to be a continuation of the series of bonds issued by said city under the provisions of Act No. 522 of the Acts of 1890, page 793, and to be made payable at such times as said City Council may deem best; the interest thereon to be payable annually and to be at a rate not to exceed seven per cent. per annum. The said bonds are non-taxable, and the coupons are made receivable for all taxes levied by or due to said city, and shall be registered by the Treasurer of the city.

A. D. 1891.

Toid Aiken
Institute.Description
of bonds.

Interest.

Non-taxable
and receivable
for taxes.

SEC. 2. That the money arising from the sale or hypothecation of said bonds shall be paid to the Trustees of the school district of the city of Aiken and the Board of Directors of the Aiken Institute, to be paid out by them for the purpose aforesaid.

Disposition
of proceeds.

SEC. 3. That the said city of Aiken, through its City Council, shall annually, at such times as they may fix and determine, pay the interest on said bonds, and for this purpose and the purpose of paying the principal of the bonds they shall have the power, and are hereby authorized and required, annually, to levy such taxes upon the real and personal property assessed for taxation in said city as may be deemed necessary to pay the interest and principal of said bonds as it becomes due during each and every year until the whole of said bonds shall be paid.

Payment of
interest.Tax levies to
pay bonds and in-
terest.

SEC. 4. That if for any reason the corporation known as the Aiken Institute shall be dissolved or cease to exist, or its school building be not used for school purposes, then and in that event the city of Aiken shall have a lien for the amount of fourteen thousand dollars, the amount of bonds issued in this and the Act aforesaid in its aid, upon the buildings and property of said institute, paramount to the claims of all creditors and stockholders, said lien to date and be of force from the date of this Act.

Lien of city.

SEC. 5. That this Act shall take effect immediately upon its passage.

When to
take effect.

Approved December 16th, A. D. 1891.

A. D. 1891.

No. 772.

AN ACT AUTHORIZING THE CITY COUNCIL OF AIKEN TO CONSTRUCT WATER WORKS FOR SAID CITY UPON CONDITIONS THEREIN NAMED.

Election to decide. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the City Council of Aiken are hereby authorized and empowered to submit to the qualified voters of the city of Aiken, at such time as the City Council may deem expedient, the question whether or not said city shall secure a system of water works for said city.

Notice of election. SEC. 2. That notice of said election shall be given by advertising the same in a newspaper published in said city for at least thirty days before such election is to be held. That all persons who are entitled to vote for Mayor and Aldermen of said city, and whose names have been registered upon the book in which the voters of said city are required to be registered, shall be entitled to vote at said election.

Polls. SEC. 3. The poll for holding said election shall be opened at 10 o'clock in the forenoon and be closed at 6 o'clock in the afternoon on the day which the election shall be ordered by the City Council, and such election shall be held by three managers of election to be appointed by said City Council.

Form of ballots. SEC. 4. That those who are in favor of procuring said system of water works shall cause to be printed or written on their ballots: "Water works—Yes;" and those who are opposed thereto shall cause to be printed or written on their ballots: "Water works—No." Immediately after the closing of the polls the said managers of election shall proceed to count the ballots, and declare the result in a certificate to be immediately filed with the Clerk of the City Council. That said election shall be held, conducted and regulated in the same manner and under the same rules which now govern the elections held in said city.

Contract for water works. SEC 5. That if a majority of the votes cast at said election shall be in favor of procuring said system of water works, then it shall be lawful for the City Council of Aiken to enter into a contract with any person or corporation for that purpose, such contract to provide for the supplying of said city with such hydrants and fountains as said City Council may deem advisable, and also to furnish the inhabitants of said city with supplies of water at rates and charges not to exceed the

amount fixed in said contract. That said contract shall give ^{A. D. 1891.} unto the City Council of Aiken the right to purchase said ^{Right of city to purchase.} water works at a price and upon such terms as the City Council may deem for the best interests of the City Council and inhabitants of the said city of Aiken.

SEC. 6. That in order to meet the expenses and charges for ^{Annual water tax.} procuring said water supply as may be stipulated in said contract, the City Council of Aiken are hereby authorized and empowered to assess and levy annually a special tax upon all taxable property in said city to be known as "The water tax," which said tax shall be collected by the City Treasurer at the ^{Collection and disbursement.} same time he collects the ordinary tax of the city, and when collected shall be kept separate account and used for the purpose of paying for said water charges under said contract.

SEC. 7. That all Acts or parts of Acts inconsistent with this ^{Repealing clause.} Act be, and the same are hereby, repealed.

Approved December 23rd, A. D. 1891.

AN ACT TO INCORPORATE THE SALLY RIFLES.

No. 773.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That T. Couturier Steadman, John A. Milhous, Henry M. Sawyer and Lawrence E. Williams, and their associates, be and they are hereby declared a body corporate under the name of the Sally Rifles of Sally, S. C. ^{Incorporation.} ^{Name.}

SEC. 2. That the said corporation have succession of officers ^{Powers of corporation.} and members according to its election and its by-laws, not repugnant to the law of the land, and to have, use, and keep a common seal, and the same to alter at will; to sue and be sued in any Court in this State, and to have and enjoy every right, power, and privilege incident to such corporations; and it is hereby empowered to take, hold, retain, possess, and enjoy all ^{Property rights.} such property, real and personal, as it may acquire by purchase, right, devise, bequest, or in any manner whatsoever, and the same, or any part thereof, to sell, alien, encumber, mortgage, and convey at the will and pleasure of such corporation: *Pro-*

A. D. 1891.
 Limit.
 Duration
 of charter.
 Public Act.

vided, That the amount of property, real and personal, so held, shall not exceed the sum of twenty thousand dollars.
SEC. 3. That this Act shall continue in force for the space of twenty-one years, and until the next meeting of the General Assembly thereafter, and that the same be taken and deemed a public Act, and may be given in evidence without being specially pleaded.

Approved December 22nd, A. D. 1891.

No. 774. A JOINT RESOLUTION TO RELIEVE SURETIES ON BOND OF
C. C. CROWLEY.

Preamble.
 Release of
 sureties.
 On payment
 of \$100.

Whereas, one Charles C. Crowley, under the charge of assault and battery with intent to kill, in the County of Aiken, gave bond with sureties for his appearance at Court; and, whereas, the said Charles C. Crowley failed to attend said Court, has fled to parts unknown, or is dead, and now it is sought to make the sureties pay the amount of said bond, to wit, the sum of five hundred dollars, as being forfeited to the State; and, whereas, it appears that Delevan Yates and Edward Courtenay are the sureties on said bond, and it appearing that said sureties had made a delivery of the said Charles C. Crowley to the Sheriff of Aiken County before his escape; therefore
Be it resolved by the House of Representatives and Senate concurring, that the said Delevan Yates and Edward Courtenay be relieved from the judgment upon said bond of five hundred dollars, and that they are hereby released from all liability thereof; *Provided, however,* They first pay one hundred dollars to the Clerk of Court for said County of Aiken.

Approved December 22nd, A. D. 1891.

A JOINT RESOLUTION TO AUTHORIZE THE COUNTY TREASURER OF AIKEN COUNTY TO PAY CERTAIN SCHOOL CLAIMS OF D. H. CROSSLAND, LATE SCHOOL COMMISSIONER OF AIKEN COUNTY, AND TO AUTHORIZE THE COUNTY COMMISSIONERS OF AIKEN COUNTY TO DRAW THEIR WARRANTS UPON THE COUNTY TREASURER FOR THE PAYMENT FROM THE SCHOOL FUND AND ALSO TO PAY THE CLAIM OF JAMES M. WADE, THE BALANCE DUE THE BANK OF AIKEN, UPON A NOTE GIVEN FOR MONEY BORROWED FOR SCHOOL PURPOSES FOR SAID COUNTY OF AIKEN.

A. D. 1891.

No. 775.

Whereas, there was a portion of the salary due the late School Commissioner, D. H. Crossland, of Aiken County, upon the expiration of his term of office for the year 1890, upon his salary as said School Commissioner of said County. *And, whereas*, there is a balance due the Bank of Aiken upon a note held by said bank for money borrowed for school purposes of said County of Aiken.

Preamble.

SECTION 1. *Be it therefore resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Treasurer of Aiken County be, and he is hereby, authorized, upon the approval of the present School Commissioner, to pay to the said D. H. Crossland, late School Commissioner of Aiken County, the balance due him upon his salary as School Commissioner for the year 1890, said salary to be paid from the general school fund of said County, and also to pay James M. Wade upon approval of the present School Commissioner out of the funds credited to Mount Morenci School District of said County the sum of seventeen 70-100 dollars for improvements made by said J. M. Wade upon the public school building and lot in said school district.

County treasurer to pay D. H. Crossland.

And J. M. Wade.

SEC. 2. That the County Commissioners of Aiken County be, and are hereby, authorized to draw their warrants upon the County Treasurer of Aiken County for the payment of any balance due upon a note held by the Bank of Aiken given by the said County Commissioners for money borrowed for school purposes for said County. And that the said Treasurer is hereby authorized and directed to pay the said warrant so drawn from the general school fund of said County of Aiken.

County Comm'rs to draw warrant to B'nk of Aiken.

County treasurer to pay same.

Approved December 22nd, A. D. 1891.

A. D. 1891.

No. 776.

A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE SCHOOL COMMISSIONER OF AIKEN COUNTY TO CREDIT SCHOOL DISTRICT No. 6 WITH AVERAGE ATTENDANCE OF GRANITEVILLE ACADEMY FOR FISCAL YEARS 1887 AND 1888.

Graniteville
Academy to re-
ceive credit.

Apportionment
of balance.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the School Commissioner of Aiken County before making the apportionment of the school fund among the several school districts of said County for the fiscal year commencing November 1st, 1891, shall first deduct from the school fund of said County the amount that the Graniteville Academy would have been entitled to on average attendance of said school for fiscal years 1887 and 1888, and then credit the school district in which said Academy is located with said amount, and then proceed to apportion the balance among the school districts of said County as is now provided by law.

Approved December 22nd, A. D. 1891.

No. 777. A JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF THE PAST INDEBTEDNESS OF AIKEN COUNTY.

Preamble.

Whereas, the special tax levied for the fiscal year 1890 and 1891 for the payment of the past indebtedness of the County of Aiken will not raise a sufficient sum to pay off said past indebtedness; *and whereas*, it appears that there is and will be a fund in the hands of the Treasurer of the said County of Aiken, arising from collections made upon the bond of J. E. Murray, late Treasurer of the County of Aiken.

Proceeds of
bond of J. E.
Murray appro-
priated.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of the County of Aiken are hereby authorized to use and appropriate so much of the fund collected, or to be collected, from the bond of the said J. E. Murray, late Treasurer of Aiken County, to the payment of the past indebtedness of said County of Aiken.

SEC. 2. That the Treasurer of Aiken County be, and he is hereby, authorized and required to pay out said fund upon the orders or drafts of the County Commissioners of Aiken County, pursuant to the foregoing Section.

A. D. 1891.
How paid.

Approved December 22nd, A. D. 1891.

AN ACT TO AUTHORIZE AND EMPOWER THE COUNTY COMMISSIONERS OF ANDERSON, UNION, AND OCONEE COUNTIES TO CHANGE THE LOCATION OF PUBLIC ROADS FOR CERTAIN PURPOSES, AND TO CONDEMN LAND FOR THE USE OF THE SAID COUNTIES FOR SUCH PURPOSES, AND TO LEVY A SPECIAL TAX THEREFOR. No. 778.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Anderson, Union, and Oconee Counties are hereby authorized and empowered to change the location of any of the public roads in Anderson, Union, and Oconee Counties where in their judgment steep hills and rough places in said roads can be avoided by so doing.

Change of location authorized.

SEC. 2. That for the purpose of relocating such roads they shall have the power to call to their assistance a surveyor, who shall survey and lay off such roads under their direction.

Surveyor to be employed.

SEC. 3. That said County Commissioners shall have the power to condemn the land so laid off, and where the owner of said land will not give the right of way for such purposes, the damages to said land owner shall be assessed in the following manner: The said County Commissioners shall appoint one disinterested person and the land owner shall appoint one disinterested person, and the two persons so appointed shall appoint a third person, and the three persons so appointed shall go upon the premises and assess the damages to said land owner, which shall be paid by the County Commissioners as other claims against the County are paid.

Condemnation of right of way.

Assessment of damages.

Payment.

SEC. 4. For the purpose of enabling the County Commissioners to carry out this Act they are hereby authorized and empowered to levy, each year, so long as is necessary, a special

Special tax levy.

A. D. 1891.
 Collection of tax. tax of one-fifth of one mill on the dollar on all taxable property of the said Counties to be collected as the other taxes of the said Counties, the funds raised thereby to be used for said purpose and no other.

Approved December 18th, A. D. 1891.

No. 779. AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF ANDERSON COUNTY, OR THEIR SUCCESSORS, TO ISSUE BONDS IN AID OF THE SOUTH CAROLINA INDUSTRIAL AND WINTHROP NORMAL COLLEGE IF LOCATED AT ANDERSON, SOUTH CAROLINA.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That upon the location of the Industrial and Winthrop Normal College at Anderson, South Carolina, and a subscription of one hundred thousand dollars in bonds by the city of Anderson for the same purpose, the County Commissioners of Anderson County, or their successors, be, and they are hereby, authorized to issue and sell coupon bonds of said County of Anderson of the denomination of five hundred dollars each, and in amounts sufficient to raise the sum of twenty-five thousand dollars, which said sum they shall turn over to the Trustees of the South Carolina Industrial and Winthrop Normal College, to be used by them towards the erection of suitable buildings for said College. Said bonds to bear interest at the rate of six per cent. per annum, said interest to be paid annually on the first day of every March after the issuance thereof until the same shall fall due, the principal of said bonds to be payable as follows: Five thousand dollars twenty years from the date of the issuance thereof, and five thousand dollars each succeeding year thereafter until the whole is paid.

On certain conditions.
 County Comm'rs to issue and sell bonds.
 Denomination.
 Amount.
 To be turned over to trustees of S. C. I. and W. N. C.
 Description of bonds.

Annual tax levy. SEC. 3. That for the purpose of paying the interest on the bonds herein authorized to be issued and retiring the principal as it shall fall due, the County Commissioners of said County, and their successors, shall each year levy a sufficient tax upon all taxable property of said County to be known as the Indus-

trial School Tax, to be collected and disbursed as other taxes of the County. A. D. 1891.

SEC. 4. That this Act shall take effect immediately upon its approval. When to take effect.

Approved December 24th, A. D. 1891.

AN ACT TO AUTHORIZE THE CITY COUNCIL OF ANDERSON TO SUBSCRIBE AN AMOUNT OF NOT EXCEEDING ONE HUNDRED THOUSAND DOLLARS TO "THE SOUTH CAROLINA INDUSTRIAL AND WINTHROP NORMAL COLLEGE," AND TO ISSUE BONDS FOR THAT PURPOSE, AND FOR THE PURPOSE OF RETIRING THE BONDS HERETOFORE ISSUED IN AID OF THE SAVANNAH VALLEY RAILROAD. No. 780.

Whereas, the city of Anderson, by the Mayor and Aldermen of said city, pursuant to the written request of a large majority of the taxpayers and real estate owners of said city, is desirous of submitting a bid of not less than seventy-five thousand dollars nor more than one hundred thousand dollars for securing the location and establishment of "The South Carolina Industrial and Winthrop Normal College" in said city; *and whereas*, the said city of Anderson is desirous of making good such subscription as shall be made by the City Council of said city, provided said school be located and established within the limits of said city and for that purpose proposes to issue coupon bonds in a sufficient amount to make good such subscription and to retire certain bonds outstanding against said city heretofore issued in aid of the Savannah Valley Railroad; therefore, Preamble.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the City Council of the city of Anderson, South Carolina, be, and it is hereby, authorized and empowered, in the name and on behalf of the city of Anderson, to subscribe a sum of not exceeding one hundred thousand dollars for the purpose of securing the location and establishment of "The South Carolina Industrial and Winthrop Normal College" in the said city of Anderson. Subscription authorized.
To secure location.

A. D. 1891.	SEC. 2. That for the purpose of paying said subscription, and
Issue of bonds.	liquidating the outstanding bonds of said city heretofore issued in aid of the Savannah Valley Railroad, the said City Council
Amount.	of Anderson is hereby authorized and empowered to issue one hundred and thirty-eight thousand dollars, if so much be neces-
Description.	sary, of municipal coupon bonds, par value, of the denomi- nation of five hundred dollars each; that said bonds shall be printed on good bond paper, and shall be signed by the Mayor and attested by the Clerk of said City Council, and the seal of the corporation shall be affixed to each of said bonds by the Clerk of said City Council. That said coupon bonds shall be-
Maturity.	come due and payable in fifty years from their date, and shall
Rate of interest.	bear interest as follows, to wit: Fifteen thousand dollars thereof, beginning with the lowest number, shall bear interest from date at the rate of seven (7) per cent. per annum, payable annually, and the remainder thereof shall bear interest from date at the rate of six (6) per cent. per annum, payable an-
Coupons.	nually; and each and every of said bonds shall have as many coupons attached as there shall be annual payments of interest to be made on the bonds, with the amount of interest falling due, and the date when it shall become due, said coupons to be
Receivable for taxes.	signed by the City Clerk and Treasurer; and said coupons shall be receivable in payment of any and all taxes and debts that may be due to and levied by the said City Council of Anderson;
Exempt from taxation.	and said bonds shall at all times be exempt from taxation by the authorities of the said City of Anderson; and so many of said bonds as shall be turned over to the Board of Trustees of "The South Carolina Industrial and Winthrop Normal College" by the City Council of the city of Anderson in payment of said city's subscription to said school shall be wholly exempt from all taxation in this State. That said City Council of Anderson
Annual tax to pay interest.	shall, every year during the said fifty years, levy and assess an annual tax sufficient to pay the interest on the said bonds as it shall fall due, and as the cou-
And for a sinking fund.	pons are presented for payment; and the said City Council shall also, every year during the same period, beginning in the year next after the said bond shall have been issued, levy and assess a like annual tax of two thousand dollars to be used as a sinking fund for the gradual retirement of said bonds, with
Annual retire- ment of bonds.	which the said City Council shall have the power to redeem, and it is hereby authorized and required annually to call in and retire an equal amount (\$2,000) of said bonds, beginning with the highest number issued, and proceeding in their inverse

order as numbered, until after a period of twenty years from the date of said bonds, when it shall reverse the order of calling in said bonds by beginning with the lowest number, and proceeding in the order in which they are numbered, until the entire issue of said bonds shall have been fully and entirely paid off: *Provided*, That said bonds shall be retired at the same time of the year at which interest thereon becomes due and payable, and that, at least three months previous thereto, the said City Council of Anderson shall every year, by public notice or advertisement for one month in a newspaper published in said city, call in said bonds, specifying the number so to be retired, and no coupon or interest which shall accrue on any of such bonds after said period fixed for retiring the same shall be in any manner collectible against the said City Council or the said city of Anderson unless the said City Council shall be unable or fail to pay the said bonds when thus presented: *And provided, further*, That at any time after a period of twenty years from date of issuing said bonds, the said City Council shall have the right, and it is hereby authorized, to call in, pay off and cancel any and all bonds of this issue that may then be still outstanding.

A. D. 1891.

When to be retired.

Bonds to be called in.

Interest after call.

Call for all outstanding bonds.

SEC. 3. That for the purpose of paying the subscription of the city of Anderson to "The South Carolina Industrial and Winthrop Normal College," the City Council of Anderson, as soon as said school is located in said city, shall turn over and deliver to the Board of Trustees of said school a sufficient number of said 6 (six) per cent. bonds to equal in par value the amount of said subscription, and the said Board of Trustees shall sell and dispose of said bonds, and shall use the proceeds of sale in purchasing a site for said school, erecting suitable buildings thereon, and procuring and placing in the same the necessary machinery, power, fixtures, furniture, appliances and apparatus for carrying into effect the intention of an Act providing for the establishment of said school.

Delivery of bonds to trustees.

Sale by trustees. Use of proceeds.

SEC. 4. That by and with the consent and approval of the owners and holders of fifteen thousand dollars of the bonds heretofore issued by the said city of Anderson in aid of the Savannah Valley Railroad, the said City Council of Anderson is hereby authorized and empowered to substitute and exchange for said bonds the fifteen thousand dollars of seven (7) per cent. bonds issued hereunder, and to cancel the bonds thus surrendered in exchange; and the said City Council is further authorized and empowered, by and with the consent and approval

Exchange for S. V. R. R. Co. bonds.

Cancellation of old bonds.

A. D. 1891.

of the owners and holders thereof, to pay off and cancel the remaining twenty-three thousand dollars outstanding bonds, known as the Savannah Valley Railroad bonds, and for that purpose is authorized to substitute, sell or hypothecate the remaining twenty-three thousand dollars of six (6) per cent. bonds issued hereunder, if so much be necessary for that purpose, which last number of six (6) per cent. bonds issued hereunder shall be used by the City Council for that purpose and no other.

Cancellation of retired bonds.

SEC. 5. That as fast as said bonds shall be paid off and retired by the city of Anderson they shall be cancelled by the City Clerk in the presence of the City Council. The Clerk of said City Council shall keep a registry of said bonds and all payments thereof, both principal and interest, and the bonds themselves, after their cancellation, shall be kept on file by said Clerk.

Registry.

Repealing clause.

SEC. 6. That all Acts and parts of Acts inconsistent with the provisions of this Act be, and they are hereby, repealed.

Approved December 24th, A. D. 1891.

No. 781. AN ACT TO AUTHORIZE THE CONSOLIDATION OF THE "ANDERSON WATER SUPPLY COMPANY" AND THE "ANDERSON ELECTRIC LIGHT AND POWER COMPANY," UNDER THE NAME OF THE "ANDERSON WATER, LIGHT AND POWER COMPANY," AND TO CONFER UPON THE CONSOLIDATED COMPANY POWER AND AUTHORITY TO CONSTRUCT, MAINTAIN AND OPERATE AN ELECTRIC STREET RAILWAY WITHIN THE CITY OF ANDERSON.

Preamble.

Whereas, the "Anderson Water Supply Company" and the "Anderson Electric Light and Power Company" contemplate consolidating the property, franchises and privileges owned and held by them, the consolidated company to be known as the "Anderson Water, Light and Power Company;" now, therefore,

Consolidation.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the "Anderson Water Supply Company" and the "Anderson Electric Light and Power Company" be, and they are hereby, authorized to consolidate their property, franchises and privi-

leges into one company, under the name of the "Anderson Water, Light and Power Company," such consolidation to be effected by a deed of indenture to be executed by the two consolidating companies, declaring their intention so to consolidate, and transferring to said consolidated company all of the property, franchises, rights and privileges owned or held by each of them respectively.

A. D. 1891.
Name.
How effected.

SEC. 2. That upon such consolidation the Anderson Water, Light and Power Company shall be vested with all the rights, franchises, powers and privileges conferred upon the said Anderson Water Supply Company by an Act entitled "An Act to incorporate the Anderson Water Supply Company," approved December 24, A. D. 1889, and upon the said Anderson Electric Light and Power Company by a certificate of charter issued by the Hon. J. Q. Marshall as Secretary of State for the State of South Carolina, dated the 18th day of June, 1890, under the Act of the General Assembly entitled "An Act to provide for the formation of certain corporations under general laws," approved the 23d day of December, 1886, and recorded in office of Register of Mesne Conveyance in and for the County of Anderson, in said State, in Charter Book No. 1, pages 86 and 87, authorizing the said Anderson Electric Light and Power Company to construct, maintain and operate in the city of Anderson, in said State, an electric light plant, for the purpose of generating electricity with which to furnish electric lights and motive power to the said city of Anderson and the inhabitants thereof, which said certificate of charter is hereby ratified and confirmed, with the power and privileges hereinbefore enumerated; and that said consolidated company be subject to all of the debts and liabilities of the two consolidating companies.

Rights of consolidated company.

Ante 458.

Ante 999.

19 Stat., 540.

Confirmation of charter.
Debts and liabilities.

SEC. 3. That the said Anderson Water, Light and Power Company, in addition to the powers hereinbefore granted, shall have power and authority, subject to the supervision and approval of the City Council of the city of Anderson, to lay railway tracks through and along the streets within and adjacent the city of Anderson, and to use and employ upon such railway tracks sufficient and suitable carriages or cars, to be impelled and drawn by motors operated by electric power, for the transportation of passengers and freights, upon such rates as shall be fixed by the said company, and for this purpose shall have all the authority and power necessary to carry the same into effect.

Additional powers.

Street railway.

SEC. 4. That for the purpose of consolidation herein author-

Capital stock.

A. D. 1891.

ized the said Anderson Water, Light and Power Company shall be authorized and empowered to issue seventy-five thousand dollars of paid up capital stock, with privilege of increasing it to one hundred and twenty-five thousand dollars, in shares of one hundred dollars each, to be divided in such proportion as may be agreed upon between the two consolidating companies, for distribution among their respective stockholders; and may also have the power and authority to issue bonds for the purpose of construction or the carrying on of its business for such amounts and for such periods and on such interest as it may determine, and with power if it so determines to secure the same by mortgage of all or any part of its property and franchises.

Bonds and mortgages.

Board of directors.

SEC. 5. That upon the consummation or completion of the consolidation of the said companies as is provided for in this Act, the organization of the consolidated company shall be completed by the election of a Board of Directors from among the stockholders in said consolidated company as may be agreed upon. The Board of Directors thus elected shall continue in office for one year, and until their successors shall be duly elected, and thereafter there shall be annual meetings of the stockholders of said company at which directors shall be chosen, whose term of office shall be as above provided.

Term of office.

Annual meetings.

Duration of charter.

SEC. 6. That the duration of the charter hereby granted shall be for the term of fifty years, and until the final adjournment of the General Assembly next thereafter.

Public Act.
When to take effect.

SEC. 7. That this Act shall be taken and deemed a public Act, and shall take effect immediately upon its approval.

Approved December 24th, A. D. 1891.

No. 782. AN ACT TO RENEW, AMEND AND CONSOLIDATE THE CHARTER OF TOWN OF HONEA PATH AND TO PROVIDE FOR THE GOVERNMENT THEREOF.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Corporate limits.

the corporate limits of the town of Honea Path shall extend over and embrace all the territory or area embraced in a circle

whose centre is the present depot of the Columbia and Greenville Railroad in Honea Path, and whose radius is one-half of one mile; and all citizens of this State having resided twelve months within the State and six months within the corporate limits of the town of Honea Path shall be deemed, and are hereby declared to be, a body politic and corporate, and the said incorporation shall be called and known as "The Town of Honea Path."

A. D. 1891.

Incorporation
and name.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall have been residents of the town for twelve months next preceding their election, and citizens of the State of South Carolina. The said Intendant and Wardens shall be known as and called "The Town Council of Honea Path." They shall be elected on the second Tuesday in 1892, and on the same day in every second year thereafter, and shall hold their offices for the term of two years and until their successors are elected and qualified. The Intendant and any two Wardens, or any three Wardens, shall constitute a quorum for the transaction of any business pertaining to the corporation, or the exercise of any of the powers herein granted to the said Town Council, or to the Intendant and Wardens thereof.

Intendant
and wardens.

Town council.

Election.

Quorum.

SEC. 3. All male inhabitants of the said town who have resided in the corporate limits thereof six months

Electors.

next preceding any municipal election therein, and who are qualified to vote in State elections, shall be entitled to vote in such election: *Provided*, That in order to vote in any municipal election, the elector wishing to vote shall register his name as a voter with the Clerk of the Town Council, to be entered by him in a book to be kept for that purpose,

Registration.

before twelve o'clock meridian, on the tenth day preceding such election, and obtain a certificate of registration from such Clerk, which shall be presented to the managers when he offers to vote, and shall be taken up by them. The Intendant and Wardens of the town shall give notice of the time and place of such election, and of the managers appointed to conduct the same, and such notice shall also give the place and hours of registration. This notice shall be in writing, posted in at least three public places in the town, not less than ten days before the close of the time for registration. The registration book shall be securely kept by the Clerk of the Town Council and turned over to the managers of election on the day of election, and shall be subject to the inspection of any citizen of the town at

Notice of
election.Registration
book.

A. D. 1891.

any time before the day of election, when the Clerk is not actually engaged in registering a voter.

Time and place of election.

Conduct of election.

SEC. 4. The election shall be held in some convenient place in said town from nine o'clock in the morning until three o'clock in the afternoon, and shall be conducted by managers appointed by the Town Council, and they shall be sworn by the Intendant or one of the Wardens, or if there be no such person, by any person authorized by law to administer oaths, fairly and impartially to conduct the said election, and make a true return of the result thereof. Upon closing the polls the managers shall immediately proceed to count the votes cast and make a statement of the whole number of votes cast in the election and of the number cast for each person voted for, for Intendant or Warden, and shall transmit such statement sealed up to the Intendant, or acting Intendant, of the town, or if there be none, then to the Clerk of Court at Anderson, S. C., and shall enclose with such statement, under seal, the registration certificates of the persons voting in such election and the poll list kept by them. The Intendant, or acting Intendant, or Clerk of the Court, upon receiving such statement, shall immediately

Declaration of result.

open the same, and declare the result according to the statement furnished by the managers, declaring the person receiving the highest number of votes cast for Intendant duly elected to that office, and the persons receiving the highest number of votes cast for Wardens in number equal to the number of Wardens to be elected, duly elected to that office. And such Intendant and Wardens, before entering upon the duties of their offices, respectively, shall take the oath of office prescribed by the Constitution of this State against duelling, and also the following oath: "As Intendant (or Warden) of the town of Honea Path, I will faithfully and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purpose for which I have been elected. So help me God."

Oath of office.

Vacancies.

SEC. 5. In case a vacancy occur in the office of Intendant or Wardens, or both, from any cause, an election to fill such vacancy shall be held by the appointment of Town Council, and if there be no Town Council, then by order of the Clerk of the Circuit Court for the County of Anderson, ten days' notice thereof, and registration of voters to be had on his appointment, as provided for the regular elections in Section three hereof.

Intendant pro tem

Whenever the Intendant shall, from any cause, be unable temporarily to attend to the duties of his office, the Town Council

shall have power to elect one of the Wardens to serve as Intendant during the Intendant's temporary disability; and during the time he is so acting such Warden shall be vested with all of the powers, duties, and responsibilities attaching to the office of Intendant of said town.

A. D. 1891.

SEC. 6. That the said Intendant or Town Council, and both of them, are hereby vested with all of the powers and jurisdiction of Trial Justices in the enforcement of town ordinances, except in civil cases. The said Intendant shall have power and authority to try all offenders against the ordinances of the said town in a summary manner without a jury upon their arrest, or as soon thereafter as possible, unless such persons enter into good and sufficient surety, to be approved by the Intendant, or, in his absence, by the Clerk of the Town Council, to appear for trial at a time not less than five days after such arrest, unless the party charged shall fix a shorter time, in which event the trial shall be deferred until the time fixed. Whenever the Intendant shall find a party charged with the violation of a town ordinance guilty, he shall have power to impose, in his discretion, fine or imprisonment within the limits prescribed for such violation. From all decisions of the Intendant any person feeling himself aggrieved shall have the right to appeal to the Town Council: *Provided*, That he give notice of appeal immediately and enter into surety to appear before the Town Council at a time to be specified in such undertaking, not to be less than five days. In all cases appealed to the Town Council the Intendant shall preside, or some Warden, as hereinbefore provided, and the Wardens shall sit as a jury to try the facts involved, and may also reverse, modify, or affirm any or all of the rulings of the Intendant in the first trial of the case. In such trials the decision of the majority of those present shall determine all questions of law and fact. In all cases of trial before the Intendant or the Town Council the party charged shall first be served with a summons, if he demand the same, citing him to such trial, in which shall be stated with accuracy the nature of the charge and the time and place of its alleged commission.

Jurisdiction
of council.

Trials.

Punishments.

Appeals.

Trial of appeals.

Served with
summons.

SEC. 7. The Intendant shall have power to summon the Wardens to meet in Council for the transaction of the business of the corporation whenever in his judgment it may be necessary; they and their successors hereafter to be elected shall have and keep a common seal, which shall be affixed to all ordinances passed by them; they may sue and be sued, plead and be impleaded, in any court of law or equity in this State; and

Meetings of
council.

Seal.

Powers.

<p>A. D. 1891. Property rights.</p>	<p>may purchase, hold, possess, and enjoy for the trusts herein contained to them and their successors in perpetuity, or for a term of years, any estate, real or personal, or mixed, and sell, alien and convey the same at will: <i>Provided</i>, That the same does not exceed at any one time the sum of twenty-five thousand dollars in value. And the said Town Council shall have full power to make, ordain and establish all such rules, by-laws, regulations or ordinances respecting the streets, roads, markets, police, health, and order of said town, as shall appear to them necessary and requisite for the security, welfare and convenience of the said town, or for preserving the health, peace, order and good government within the same. And the said Town Council may fix and impose fines and penalties for the violation of the same not to exceed the sum of one hundred dollars or imprisonment for thirty days, and appropriate all revenues arising therefrom to the uses of the said corporation: <i>Provided</i>, Such ordinances, rules, by-laws or regulations be not contrary to the laws of the United States or of this State.</p>
<p>Limit. By-laws and ordinances.</p>	
<p>Fines and penalties.</p>	
<p>Proviso.</p>	
<p>Sentences.</p>	<p>SEC. 8. The said Intendant or Town Council may sentence persons convicted of violating any ordinance of the town to fine or imprisonment, in the alternative, as provided in the ordinances of the town; and any person sentenced to fine or imprisonment who fails to pay the fine shall be required to work upon the streets of said town during the imprisonment, unless expressly exempted therefrom in the sentence.</p>
<p>Labor on streets.</p>	
<p>Liquor licenses prohibited.</p>	<p>SEC. 9. The said Town Council shall not grant any license to sell spirituous, malt, or intoxicating liquors within the limits of said town; and it shall be a misdemeanor for any druggist or other person to sell any such liquors within the limits of said town, and any one convicted of so selling shall be punished as now provided by law for selling spirituous liquors without a license.</p>
<p>Sale by druggists.</p>	
<p>Streets.</p>	<p>SEC. 10. The Intendant and Wardens shall have full and exclusive control over the streets, roads and ways in said town, and it shall be their duty to keep them open and in good repair. They shall have power, with the consent of the adjacent land owners, to close or change all such streets, roads, or ways within the said town as they may deem proper, and may sell and convey the freehold of any and all such streets, roads, or ways so closed by them as they may determine; and they shall have power to lay out, adopt, open, and keep in good repair all such new streets, roads, and ways as they deem necessary for the convenience or improvement of the said town. Before opening any</p>
<p>Change of streets.</p>	
<p>New streets.</p>	

new street, road, or way they shall obtain the consent of the land owner or owners over whose land the new street, road, or way will pass, or make proper compensation therefor. And the said Town Council is hereby authorized and empowered to obtain the right of way for any such new street, road, or way in the same manner that County Commissioners are now authorized to obtain the right of way for new roads opened by them. And the said Town Council shall have all of the powers over the streets, roads, and ways in said town which are now given or may be hereafter given, to County Commissioners over the public roads in their several Counties, subject, nevertheless, to the limitations herein contained. And they shall have power to compound with all persons liable to work the streets, roads, and ways in said town, upon such terms as they shall by ordinance establish; the moneys so received to be applied to the uses of such corporation.

A. D. 1891.
Consent of owners.
Right of way.

Powers over streets.

Compounding for street work.

SEC. 11. The said Town Council shall have power to impose an annual town tax upon all keepers of billiard tables and ten-pin alleys, or other pin-alleys within the discretion of the said Council, and to grant or refuse license for the same upon such terms and conditions and subject to such regulations as they, by ordinance, may establish. They shall have power to impose a tax within their discretion upon all sales made by itinerant traders and auctioneers, upon all public drays, wagons, carriages, omnibuses and other vehicles kept for hire, and on the owners of all dogs, hogs, sheep, goats and cattle kept within the corporate limits of the said town. They shall have power to impose an annual tax on the amount of all sales of goods, wares and merchandise, and also on the amount of income arising from all factorage, employments, faculties and professions, including the profession of dentistry; also on the amount of income from all moneys loaned at interest, and upon the amount of income received from banks and other stocks: *Provided*, That no tax shall be imposed in any one year to exceed the rate of thirty cents on each one hundred dollars of the value of such sales and income. And the said Town Council shall have power to impose an annual tax on all carriages and wagons of whatever kind kept for private use; and on all gold, silver and other watches kept for private use in said town. And they shall have power to impose an annual tax not to exceed the sum of thirty cents on the one hundred dollars of value of all real estate lying within the corporate limits of said town, and on personal property of every description owned and held within the town, in-

Billiard tables and ten-pin alleys.

Tax on sales, vehicles, dogs, &c.

Tax on sales of goods.
On income.

Credits.

Limit.

Tax on luxuries.

Real estate tax.

Personal property.

A. D. 1891.	
Exemptions.	cluding bonds and stocks of every kind: <i>Provided</i> , That the real estate and personal property of churches and educational associations shall be exempt from taxation when situated in said town. For the purpose of assessing the real estate in said town they shall appoint three freeholders residing therein, who shall assess such real estate upon oath and return the assessment within one month to the said Council for taxation, and the Council shall have power to fill any vacancy that may occur on such Board of Assessors. The said Town Council shall have power to impose an annual tax not to exceed the sum of thirty cents on every one hundred dollars of the value of any stock of goods, wares or merchandise opened or offered for sale within the incorporate limits of said town after the time for listing property for taxation therein as that imposed upon other town property, and to enforce the same in like manner as other town taxes are collected: <i>Provided</i> , That no tax shall be collected under this provision from any citizen of said town who has already paid his town taxes and changes his business or opens a new business during the year for which such citizen has already paid his taxes in said town. The said Town Council shall have power to regulate the price of licenses upon all public shows and exhibitions in said town; to erect a powder magazine, and to compel every person holding more than twenty-five pounds of powder at one time in said town to store the same therein, and to make regulations for the rates of storage thereof, and for keeping and storing the same. They shall have power and authority to organize, equip and control a fire department for the protection of said town in such way as they may deem necessary, and the said Town Council shall have power to enforce the payment of all taxes and assessments levied under the authority of this Act, against the property and the persons on defaulters to the same intent and in the same manner as is provided by law for the collection of the general State tax, except that the executions to enforce the payment of the town taxes shall be issued under the seal of the said corporation and directed to the Chief of Police or other persons especially appointed by the said council to collect the same; and all property upon which a tax for town purposes shall be levied and assessed shall be liable for the payment thereof in preference to all other debts due by the person owning the same at the time of the assessment, except debts due the State, which shall be first paid. The said moneys, together with all other moneys collected by the authority of the provisions of this Act
Assessment of property.	
Tax on merchandise opened after listing made.	
Proviso.	
Public shows.	
Powder.	
Fire department.	
Enforcement of taxes.	
Executions.	
Lien for taxes.	
Payment into town treasury.	

and the ordinances passed in conformity thereto, from whatever source the said moneys may arise, shall be paid into the Treasury of said town for the use of the corporation.

A. D. 1891.

SEC. 12. In the assessment of all property in said town, it shall be the duty of the Clerk of the Town Council to deliver to or leave at the residence or place of business of each person within the corporate limits, a printed form or statement of return for taxation with a proper form of oath thereto, and shall at the time he delivers such forms, receive from such person the statement of his property for taxation required by this Act, verified by the oath of such person; but if he be not ready to make such statement, he shall make up and deliver the same to the said Clerk within twenty days after the leaving of such form of statement, and in case of failure to do so he shall be assessed by the said Clerk and return be made accordingly. If the Clerk of the Town Council fails to leave such form of statement at the place of business or residence of any person in said town, such person shall not be excused from making such returns, but shall in that event have ten days after the close of the time for making returns in which to file the same with the said Clerk. Returns shall be made on oath to the Clerk of said Council during the month of January in each year of the amount of all sales of merchandise, professional, mechanical or other incomes and of the quantity and kind of all property other than real estate, subject to taxation under the provisions of this Act, by the persons who may be liable to pay the taxes on the same; and the said taxes shall be paid on or before the first day of March then next ensuing. Upon failure thereof, any party in default shall be subject to the penalties now provided by law for failure to pay the general State tax, and in addition to the remedy given in the next preceeding Section hereof, the said Town Council may bring suit in any Court of competent jurisdiction against the party who fails to pay any taxes or assessments so becoming due for the amount of such taxes or assessments and penalties and costs thereon, and the judgment obtained therefor shall have the same lien upon the property of the party so in default as the tax execution would have thereon—that is, such judgment shall constitute a prior lien upon such property over all other liens and conveyances existing or otherwise except as to debts due to the State.

Returns for taxation.

Assessment by Clerk.

Taxpayer to return even if not notified.

Contents of returns.

Time for payment of taxes, Penalties for default.

Judgment.

Lien of.

SEC. 13. The said Intendant and Wardens shall each be peace officers in said town and are clothed with all the powers for the preservation of the peace of said town herein given to its police-

Peace officers.

- A. D. 1891.
 Policemen. men. The said Town Council are hereby authorized to elect one chief of police and as many assistants as may be necessary, to fix their salaries and prescribe their duties. They shall be sworn in and vested with all of the powers now conferred by law upon constables, and subject to all of the duties and liabilities that are now, or may be hereafter, conferred upon constables in addition to the special duties devolved by the said Town Council upon such police; *Provided*, That their jurisdiction shall not extend beyond the limits of said corporation.
- Powers and duties. Jurisdiction. Guard house. SEC. 14. The said Town Council shall have power to establish a guard house and prescribe by ordinances suitable rules and regulations for governing the same; and the said Town Council may by ordinance, or the Intendant and Wardens, in person, any one or more of them, authorize and require any policeman of said town to arrest and to commit to the guard house, for a term not exceeding twenty-four hours before trial, any person or persons who, within the said corporate limits, may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or in any conduct grossly indecent or dangerous to the citizens of said town, or any of them; and it shall be the duty of the policemen of said town to arrest and commit all such offenders, when required by said ordinances or any member of the said Town Council so to do, and they shall have power to call to their assistance the *posse comitatus*, if need be, in making such arrest; and upon failure of such policemen to perform their duty as required they shall, severally, be liable to such fines and penalties as the Town Council may establish: and all persons so imprisoned shall pay the costs and expenses incident to such imprisonment: *Provided*, That the imprisonment provided for in this Section shall not exempt the party so imprisoned from trial and sentence as hereinbefore provided.
- Arrest on sight. Arrest of offenders. *Posse comitatus*. Liability of policemen. Proviso. SEC. 15. That the said Town Council shall have power to collect licenses and taxes from all persons representing publicly within the corporate limits, for gain or reward, any plays, games or shows of any kind soever, to be used for the purposes of said corporation.
- Licenses for shows. Fines from liquor sellers. SEC. 16. That all fines which shall hereafter be collected by conviction in the Court of Sessions, for selling spirituous liquors in said town without a license, shall be paid one-half to the informer and the other half to the said Town Council for the uses of the corporation.
- Nuisances. SEC. 17. That the said Town Council shall have power and

authority to abate all nuisances within the corporate limits and to appoint a Board of Health for said town, and to pass all such ordinances as may be necessary to define the powers and duties of the said Board.

A. D. 1891.

Board of Health.

SEC. 18. The Intendant and Wardens shall each be exempt from street duty during the term of their office, and each Town Council shall, within thirty days after the expiration of their terms of office, make out and return to their successors a full account of their receipts and expenditures during the term for which they were elected; and at the expiration of the term of office of any Town Council, it shall be their duty to pay over to their successors any moneys in their hands at the time of making such return belonging to said corporation, and likewise to deliver up promptly at the end of their term, all books, property, records and other papers incident to their said offices, to their successors; and on failure so to do they shall be liable to the penalties hereinafter prescribed.

Exemption from street duty.

Report to successors.

Surrender of property.

Penalties.

SEC. 19. That for the wilful violation or neglect of duty, malpractice, abuse or oppression, the said Intendant and Wardens, jointly and severally, shall be liable to punishment by fine not exceeding one hundred dollars, besides being liable for damages to any person injured by such default or misconduct on the part of such Intendant and Wardens.

Liability of Intendant and Wardens.

SEC. 20. This Act shall go into effect immediately upon its approval by the Governor. All ordinances heretofore passed by the Town Council of Honea Path, shall remain in full force and effect until altered or repealed by the Town Council of said town, and the present Town Council shall remain in office and exercise all of the powers and perform all of the duties herein provided until their successors are elected and qualified under the provisions of this Act.

When to take effect.
Ordinances confirmed.

Term of present Council.

SEC. 21. All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed, so far as they affect the provisions hereof; and this Act shall be deemed and taken to be a public Act, and shall continue in force for the term of twenty-five years, and until the end of the session of the Legislature then next ensuing.

Repealing clause.

Public Act.

Duration.

Approved December 24th, A. D. 1891.

A. D. 1891. **A JOINT RESOLUTION TO AUTHORIZE AND DIRECT THE
COUNTY TREASURER OF ANDERSON COUNTY TO PAY D. H.
No. 783. RUSSELL CERTAIN PAST DUE SCHOOL CLAIMS.**

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Treasurer of Anderson County be, and he is hereby, authorized and directed to pay to D. H. Russell, from the school funds of the fiscal year 1890-91, or if not from funds for that year, then from funds raised for school purposes for the fiscal year 1891-92, his two certain school claims outstanding for services as School Commissioner, rendered during the months of November and December, 1890, the first named being for the sum of seventy-five dollars, and the other for thirty-three dollars, it appearing that the services referred to were rendered and the claims approved, but not paid when due by the County Treasurer.

Approved December 24th, A. D. 1891.

**No. 784. A JOINT RESOLUTION TO AUTHORIZE AND EMPOWER THE
TRUSTEES OF BROADAWAY TOWNSHIP SCHOOL DISTRICT, IN
ANDERSON COUNTY, TO ISSUE, THE SCHOOL COMMISSIONER
OF SAID COUNTY TO APPROVE, AND THE COUNTY TREAS-
URER OF SAID COUNTY TO PAY, CLAIM OF J. A. MATTISON.**

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Trustees of the free public schools of Broadaway Township School District, in Anderson County, be, and they are hereby, authorized and empowered to issue a teacher's pay certificate to J. A. Mattison, who taught school in that school district; that the School Commissioner of said County approve the same, and that the County Treasurer of said County do pay the same out of the school fund apportioned to that district for the fiscal year commencing November 1st, 1891.

Approved December 24th, A. D. 1891.

AN ACT TO PROHIBIT THE MANUFACTURE AND SALE OF SPIRITUOUS OR MALT LIQUORS, WINES, BITTERS, OR BITTERS OF WHICH SPIRITUOUS LIQUORS FORM AN INGREDIENT, WITHIN TEN MILES OF CLEMSON AGRICULTURAL COLLEGE.

A. D. 1891.
No. 785.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act it shall be unlawful for any person, or persons, to manufacture, and sell, or offer for sale, or dispose of by traffic, barter or otherwise, any spirituous or malt liquors, wines, bitters, or bitters of which spirituous liquors form an ingredient, within ten miles of Clemson Agricultural College.

Sale or offer
for sale unlaw-
ful.

SEC. 2. That any person, or persons, violating the provisions of the preceding Section of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum of not less than two hundred dollars, and imprisonment for a term of not less than six months, in the discretion of the Court trying the case, for each and every offence.

Penalty.

SEC. 3. That this Act shall be a public Act, and shall continue in force until repealed, and all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Public Act.
Duration.
Repealing clause.

SEC. 4. That the provisions of this Act shall not apply to druggists selling spirituous or malt liquors, wines, or bitters, under a prescription of a regularly licensed and practising physician as now provided by law.

Sale by pre-
scription except-
ed.

Approved December 22nd, A. D. 1891.

AN ACT TO PROHIBIT THE SALE OF SPIRITUOUS OR MALT LIQUORS, DOMESTIC WINES OR BITTERS OF WHICH SPIRITUOUS LIQUORS FORM AN INGREDIENT, WITHIN FIVE MILES OF WALKER McELMOYLE GRADED SCHOOL, IN ANDERSON COUNTY.

No. 786.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the sale or vending of

Sale prohibited.

A. D. 1891. domestic wines, or of any spirituous, malt or intoxicating liquors or bitters, within five miles of the Walker McElmoyle Graded School, in Anderson County, is hereby prohibited

Penalties. SEC. 2. That any person or persons violating the provisions of this Act shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in a sum of not less than one hundred dollars or imprisonment for a term of not less than six months.

Repealing clause. SEC. 3. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved December 23rd, A.^d D. 1891.

NOTE—For Act, relating to sale of domestic wine in Anderson County, see ante No. 762, p. 1194.

No. 787. AN ACT TO CREATE A NEW SCHOOL DISTRICT WITHIN THE COUNTY OF BARNWELL, TO BE KNOWN AS THE "ELKO GRADED SCHOOL DISTRICT," AND TO AUTHORIZE THE LEVY AND COLLECTION OF A LOCAL TAX THEREIN.

School district established. **Area.** SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the portion of Barnwell County lying within the following boundary lines, to wit: a line beginning at the South Carolina Railroad depot in the town of Elko, running parallel with said railroad east three miles and west one and a half miles, thence north from said depot two miles and south three miles, said boundary lines to run parallel and at right angles with the South Carolina Railroad aforesaid, be, and is hereby, constituted a new school district, to be known as the "Elko School District."

Name. **Trustees.** SEC. 2. That F. N. Hair, Ashley Stansell, W. C. Matthews, L. T. Williams, H. W. Jones, S. N. Green, B. Reed, D. M. Johnston and P. Bates, and their successors to be elected by the qualified voters of said district and thereupon appointed by the Superintendent of Education, be, and the same are hereby, constituted a Board of Trustees for said school district.

Powers of board. SEC. 3. That the said Board of Trustees shall have the following powers and duties: 1st. To discharge the duties of School

Trustees, and to have all the powers, privileges, rights, and liabilities now possessed by and pertaining to School Trustees. 2d. To determine the studies and class books to be used in the schools of said district. 3d. To elect and dismiss the teachers, to fix their salaries, to prescribe their duties and term of office, and make rules for the government of the schools. 4th. To make an annual report of the schools in this district to the Superintendent of Education on or before the first Monday in October in each year, to be forwarded through the office of the School Commissioner of Barnwell County. 5th. To take in charge and keep in order all buildings and other property belonging to or used for carrying on the schools of the district herein created.

A. D. 1891.

Books.

Teachers and government.

Annual report.

Property.

SEC. 4. That the Board of Trustees shall elect from its members a Chairman, and also a Secretary and Treasurer; and that the Treasurer shall be required to enter into a bond with sufficient sureties, in the penal sum of five hundred dollars, conditioned for the faithful performance of his duties as such.

Officers of board.

Bond of treasurer.

SEC. 5. That the Chairman shall call meetings of the Board whenever in his judgment it is necessary or whenever three (3) members of the Board shall in writing request him to do so.

Meetings of board.

SEC. 6. That the School Commissioner of Barnwell County shall have jurisdiction only over the schools and educational interests of the County not comprised within the corporate limits of the said new school district hereby created under the name of "The Elko Graded School District."

Jurisdiction.

SEC. 7. That said school district is also hereby authorized and empowered to levy on all real and personal property returned in said school district a local tax not exceeding five (5) mills on the dollar in any one year, to supplement the general tax for the support of schools, by the persons and in the mode following, to wit: The said Board of Trustees, if they deem it expedient, shall, on or before the fifteenth day of January, 1892, and on or before the same day in each succeeding year, call a meeting in said school district of all the legal voters living in above named school district and returning real or personal property therein: *Provided*, That public notice of said meetings, specifying the time, place and object, shall be given at least ten (10) days before said meeting by posting the same in three conspicuous places in the said school district and by publishing the same at least twice in one of the newspapers of said County having the largest circulation in said school district. The persons answering the above designations, when thus

Special school tax.

Meeting of taxpayers.

Notice of meeting.

A. D. 1891. assembled, shall appoint a Chairman and also a Secretary, adjourn from time to time, and decide what additional tax, if any, shall be levied. No tax thus levied shall be repealed at a subsequent meeting within the same fiscal year. The Chairman of said meeting shall within one week thereafter notify the Chairman of said Board of Trustees and the County Auditor of Barnwell County, respectively, of the amount of the tax thus levied, and the County Auditor shall at once assess such tax on all real and personal property returned in said school district, and the County Treasurer of said County shall collect said tax with the other taxes for the same year, and said tax shall be liable to like process and penalties as are State and County taxes.

Disbursement of school funds. SEC. 8. The County Treasurer of the County of Barnwell shall hold all moneys arising from the Constitutional school tax and poll tax to which said school district may be entitled under the general provisions of law, or under the provisions of this Act, subject to the warrant of the Treasurer of the Board of Trustees of the said school district.

Liability of county treasurer. SEC. 9. All moneys received by the County Treasurer from the local tax and from the liquor license tax herein shall be protected by the official bond of said Treasurer, and shall be paid out only on the warrant of the said Treasurer of said Board of Trustees of the said school district.

Repealing clause. SEC. 10. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Public Act. When to take effect. SEC. 11. This Act shall be deemed a public Act, and shall take effect and be of full force immediately after the date of its passage.

Approved December 23rd, A. D. 1891.

No. 788. AN ACT TO INCORPORATE THE TOWN OF BROWNELL, IN BARNWELL COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States, who now are, or hereafter may be, inhabitants of the town of Brownell, shall be deemed, and

are hereby declared to be, a body politic and corporate, and the said town shall be known by the name of Brownell, and the limits thereof shall extend one-half of one mile in every direction from the depot site on the Carolina Midland Railway.

A. D. 1891.

Incorporation
and, name.
Limits.

SEC. 2. That said town of Brownell shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, A. D. 1885.

Rights and
limitations.

19 Stat., 174.

SEC. 3. No license for the sale of spirituous or malt liquors, wines, bitters, beers or other beverages of which spirituous liquors form an ingredient, shall be granted by the municipal authorities of the town of Brownell, in the County of Barnwell, and the sale thereof is strictly prohibited.

Sale of liquor
prohibited.

SEC. 4. This Act shall be a public Act and shall continue in force for thirty years from the date of its passage and until the final adjournment of the General Assembly next thereafter.

Public Act.
Duration.

Approved December 22nd, A. D. 1891.

AN ACT TO INCORPORATE THE TOWN OF CAVES, IN BARNWELL COUNTY. No. 789.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States who now are or hereafter may be inhabitants of the town of Caves shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be known by the name of Caves, and the limits thereof shall extend one-half of one mile in every direction from the depot site on the Carolina Midland Railway.

Incorporation.

Name and
limits.

SEC. 2. That said town of Caves shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns less than one thousand inhabitants in the State," approved December 23d, 1885.

Rights and
limitations.

19 Stat., 174.

- A. D. 1891.**
Sale of liquors prohibited. SEC. 3. No license for the sale of spirituous or malt liquors, wines, bitters, beers, or other beverages of which spirituous liquors form an ingredient, shall be granted by the municipal authorities of the town of Caves, in the County of Barnwell, and the sale thereof is strictly prohibited.
- Public Act.** SEC. 4. This Act shall be a public Act, and shall continue in
Duration. force for thirty years from the date of its passage, and until the final adjournment of the General Assembly next thereafter.

Approved December 23rd, A. D. 1891.

No. 790. AN ACT To INCORPORATE THE TOWN OF CHITTY, IN BARNWELL COUNTY.

- Incorporation.** SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States who now are or may hereafter be inhabitants of the town of Chitty shall be deemed, and are hereby declared to be, a body politic and corporate, and the
Name and limits. said town shall be known by the name of Chitty, and the limits shall extend one-half mile in every direction from the store now occupied by Copeland & Chitty, except that in the direction of the town of Hammond it shall only extend to the corporate limits of said town of Hammond.
- Rights and limitations.** SEC. 2. That said town of Chitty shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An
19 Stat., 174. Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, A. D. 1885.
- Public Act.** SEC. 3. This Act shall be a public Act, and shall continue in
Duration. force for twenty years from the date of its passage, and until the final adjournment of the General Assembly next thereafter.
- Sale of liquors prohibited.** SEC. 4. No license for the sale of spirituous or malt liquors, wines, bitters, beers, or other beverages of which spirituous liquors form an ingredient, shall be granted by the municipal

authorities of the town of Chitty, in the County of Barnwell, and the sale thereof is strictly prohibited. A. D. 1891.

SEC. 5. This Act shall take effect immediately upon its approval. When to take effect.

Approved December 23rd, A. D. 1891.

AN ACT TO CHANGE THE NAME OF THE TOWN OF GRAHAM, No. 791.
IN BARNWELL COUNTY, TO THAT OF "DENMARK," AND EX-
TEND THE LIMITS OF THE TOWN OF DENMARK.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of the town of Graham, in Barnwell County, be, and the same is hereby, changed to that of "Denmark." Name changed.

SEC. 2. That all citizens of the United States who now are, and hereafter may be, inhabitants of the town of Denmark, shall be deemed, and are hereby declared to be, a body politic and corporate; and that said town shall be known by the name of Denmark; and the limits shall extend beginning at a point $\frac{1}{4}$ mile east of South Carolina Depot, on said S. C. R. R., and extending $\frac{1}{4}$ mile on each side of said S. C. R. R., thence along with and parallel to said S. C. R. R. to the road known as the Orangeburg and Barnwell road. Incorporation.
Name and limits.

SEC. 3. That said town of Denmark shall be vested with all the rights, powers, and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, A. D. 1885. Rights and limitations.
19 Stat., 174.

SEC. 4. Any other qualified electors owning lands in said town shall be allowed the privilege of citizenship in said town. Citizens.

SEC. 5. This Act shall be a public Act, and shall continue in force for thirty years from the date of its passage, and until the final adjournment of the General Assembly thereafter. Public Act.
Duration.

SEC. 6. This Act shall take effect immediately on its approval. When to take effect.

Approved December 24th, A. D. 1891.

A. D. 1891. **AN ACT TO INCORPORATE THE TOWN OF HAMMOND, IN BARN-**
WELL COUNTY.
 No. 792.

- SECTION 1.** *Be it enacted*, by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
- Incorporation.** all citizens of the United States who now are or may hereafter be inhabitants of the town of Hammond shall be deemed, and are hereby declared to be, a body politic and corporate, and the
- Name and limits.** said town shall be known by the name of Hammond, and the limits shall extend one-half mile in every direction from where the public road crosses the South Bound Railroad track below the depot of Hammond on said railroad.
- Rights and limitations.** **SEC. 2.** That said town of Hammond shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled
- 19 Stat., 174.** "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23rd, A. D. 1885.
- Public Act. Duration.** **SEC. 3.** This Act shall be a public Act, and shall continue in force for twenty years from the date of its passage, and until the final adjournment of the General Assembly next thereafter.
- Sale of liquors prohibited.** **SEC. 4.** No license for the sale of spirituous or malt liquors, wines, bitters, beers, or other beverages of which spirituous liquors form an ingredient, shall be granted by the municipal authorities of the town of Hammond, in the County of Barnwell, and the sale thereof is strictly prohibited.
- When to take effect.** **SEC. 5.** This Act shall take effect immediately upon its approval.

Approved December 23rd, A. D. 1891.

No. 793. AN ACT To INCORPORATE THE TOWN OF MEYERS, IN BARN-
WELL COUNTY.

- SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
- Incorporation.** all citizens of the United States, and of this State, who now are, or may hereafter be, inhabitants of the town of Meyers,

in Barnwell County, shall be deemed, and are hereby declared to be a body politic and corporate, and that said town shall be known by the name of Meyers, and its limits shall extend one third of a mile in every direction from the depot known as the South Bound Railroad Company's depot in said town. A. D. 1891.
Name and limits.

SEC. 2. That said town of Meyers shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, 1885. Rights and limitations.
19 Stat., 174.

SEC. 3. That no license for the sale of spirituous or intoxicating liquors, or beverages of which the same may form an ingredient, shall ever be granted by the municipal authorities of said town. Sale of liquors prohibited.

SEC. 4. This Act shall be deemed a public Act, and shall continue in force until altered, amended or repealed. Public Act.
Duration.

Approved December 24th, A. D. 1891.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF MIDWAY, IN BARNWELL COUNTY,"
APPROVED DECEMBER 26TH, 1885. No. 794.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 4 of an Act entitled "An Act to incorporate the town of Midway, in Barnwell County," approved December 26th, 1885, be amended by striking out all of said Section after the word "proper," on the 22d line, and inserting the following in lieu thereof: "and the said Town Council may impose a fine of not exceeding fifty dollars, or imprisonment in the guard house not exceeding thirty days, for violation of any of the ordinances of said town." So that said Section as amended shall read: A. A. 1885, 24,
19 Stat., 326,
amended.

SECTION 4. That the Intendant and Wardens, duly elected and qualified, shall, during their term of office, severally and respectively, be vested with all the powers of Trial Justices or other inferior courts in this State to try and punish all persons Section as amended.
Judicial powers.

A. D. 1891. Meetings of Council.	charged with the violation of any of the ordinances; that the Intendant shall, as often as the occasion may require, summon the Wardens in Council to meet him, a majority of whom shall
Name of Council and their powers.	constitute a quorum for the transaction of business, and shall be known by the name of the Town Council of Midway.
Marshals.	And they, and their successors in office, shall have a common seal, and shall have power and authority to appoint from time to time such and so many persons to act as Marshals and Constables as they shall deem expedient and proper, which officers shall have all the powers, privileges and emoluments, and be subject to all the duties, penalties and regulations, provided by the laws of this State for the office of Constables.
By-laws and ordinances.	And the Intendant and Wardens in Council shall have authority and power, under their corporate seal, to ordain and establish all such rules, by-laws and ordinances respecting the streets, ways, public wells and watering places, markets and police of said town, and for preserving health, peace, order and good government within the same, as they may deem expedient and proper.
Punishment.	And the said Town Council may impose a fine of not exceeding fifty dollars, or imprisonment in the guard house not exceeding thirty days, for violation of any of the ordinances of said town.

Approved December 22nd, A. D. 1891.

No. 795. AN ACT TO EXTEND THE TIME FOR THE ELECTION OF INTENDANT AND WARDENS FOR THE TOWN OF MONIE, IN BARNWELL COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the time for holding the election for Intendant and Wardens for the town of Monie, in Barnwell County, as provided for in an Act entitled "An Act to incorporate the town of Monie, in Barnwell County," approved December 24th, A. D. 1890, be, and the same is hereby, extended to the 1st day of May, A. D. 1892.

SEC. 2. That all Acts or parts of Acts inconsistent with this

Act be, and the same are hereby, repealed, and this Act shall take effect immediately upon its approval.

A. D. 1891.

When to
take effect.

Approved December 24th, A. D. 1891.

AN ACT TO INCORPORATE THE TOWN OF MORRIS, IN BARNWELL No. 796.
COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States who now are, or hereafter may be, inhabitants of the town of Morris, shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be known by the name of Morris, and the limits thereof shall extend one-half of one mile in every direction from the depot site on the Carolina Midland Railway.

Incorporation.

Name and
limits.

SEC. 2. That said town of Morris shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23rd, A. D. 1885.

Rights and
limitations.

19 Stat., 174.

SEC. 3. No license for the sale of spirituous or malt liquors, wines, bitters, beers, or other beverages of which spirituous liquors form an ingredient, shall be granted by the municipal authorities of the town of Morris, in the County of Barnwell, and the sale thereof is strictly prohibited.

Sale of liquor
prohibited.

SEC. 4. This Act shall be a public Act, and shall continue in force for thirty years from the date of its passage, and until the final adjournment of the General Assembly next thereafter.

Public Act.

Duration.

Approved December 22nd, A. D. 1891.

A. D. 1891.

No. 797.

AN ACT TO INCORPORATE THE TOWN OF SEIGLING, IN BARNWELL COUNTY.

- SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
- Incorporation.** all citizens of the United States, who now are or hereafter may be inhabitants of the town of Seigling shall be deemed, and are hereby declared to be, a body politic and corporate, and the
- Name and limits.** said town shall be known by the name of Seigling, and the limits shall extend one-half of one mile in every direction from the depot site on the Carolina Midland Railway.
- Rights and limitations.** **SEC. 2.** That said town of Seigling shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in an Act entitled
- 19 Stat., 174.** "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, 1885.
- Sale of liquors prohibited.** **SEC. 3.** No license for the sale of spirituous or malt liquors, wines, bitters, beers, or other beverages of which spirituous liquors form an ingredient, shall be granted by the municipal authorities of the town of Seigling, in the County of Barnwell, and the sale thereof is strictly prohibited.
- Public Act. Duration.** **SEC. 4.** This Act shall be a public Act and shall continue in force for thirty years from the date of its passage, and until the final adjournment of the General Assembly next thereafter.
- Approved December 23rd, A. D. 1891.

No. 798. AN ACT TO INCORPORATE THE TOWN OF SYCAMORE IN BARNWELL COUNTY.

- SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
- Incorporation.** all the citizens of the United States who now are, or hereafter may be, inhabitants of the Town of Sycamore shall be deemed, and are hereby declared to be, a body politic and corporate, and
- Name and limits.** that said town shall be known by the name of Sycamore, and the limits shall be one-half mile in every direction from the de-

pot of the South Bound Railroad in said town, so that the limits shall form a circle. A. D. 1891.

SEC. 2. Said Town of Sycamore shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23rd, A. D. 1885. Rights and
limitations.
19 Stat., 174.

SEC. 3. That the sale of spirituous, malt or intoxicating liquors be and the same is hereby prohibited within the corporate limits of said town. Sale of liquors
prohibited.

SEC. 4. This Act shall be a public Act, and shall continue in force for thirty years from the date of its passage, and until the final adjournment of the General Assembly thereafter. Public Act.
Duration.

SEC. 5. This Act shall take effect immediately on its approval. When to take
effect.

Approved December 24th, A. D. 1891.

AN ACT TO INCORPORATE THE TOWN OF ULMER, IN BARNWELL No. 799.
COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States who now are, or may hereafter be, inhabitants of the town of Ulmer, shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be known by the name of, Ulmer, and its limits shall extend one-half mile in every direction from the intersection of the South Bound Railroad and the public road leading from Buford's Bridge to Allendale. Incorporation.
Name and limits.

SEC. 2. That the said town of Ulmer shall be vested with all the rights, powers, and privileges granted by, and be subject to all the limitations and provisions contained in an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, A. D. 1885. Rights and
limitations.
19 Stat., 174.

SEC. 3. No license for the sale of spirituous or malt liquors, wines, bitters, beers, or other beverages of which spirituous Sale of liquors
prohibited.

A. D. 1891. liquors form an ingredient, shall be granted by the municipal authorities of the town of Ulmer, in the County of Barnwell.

Public Act. SEC. 4. This Act shall be deemed a public Act, and shall continue in force until altered, amended, or repealed.
Duration.

Approved December 22nd, A. D. 1891.

No. 800. AN ACT TO INCORPORATE THE BARNWELL BAPTIST MALE AND FEMALE INSTITUTE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Corporators. D. W. Key, W. D. Rice, L. A. Thompson, J. A. Jenkins, J. H. E. Milhous, S. G. Mayfield, W. B. Rice, J. A. Chasserou, E. L. Sanders, W. W. Green, W. L. Meritt and D. M. Johnson and such other persons as shall be elected trustees by the Barnwell Association of the Baptist denomination in South Carolina, are hereby constituted a body politic and corporate in deed and in law by the name of "The Barnwell Baptist Male and Female Institute," and that by the said name they and their successors shall and may have perpetual succession and be able and capable in law to have, receive and enjoy, to them and their successors, real and personal property not exceeding two hundred thousand dollars. The location of the said Institute shall be at or near Elko, in the County of Barnwell.

Incorporation, name and powers.

Property.

Location.

Trustees. SEC. 2. That the said trustees shall continue in office for the term of two years from the passage of this Act, and at the expiration of the said two years, and every two years thereafter, the said Barnwell Association of the Baptist denomination in South Carolina shall elect their successors, the number thereof to be increased or diminished as the said association may deem proper. And the Trustees aforesaid shall be capable of doing or transacting all the business and concerns of the said Institute; but more particularly of electing all the customary and necessary officers of the said Institute; of fixing their several salaries; of removing any of them for neglect, misconduct or other cause; of prescribing the courses of study to be pursued by the students; and, in general, of framing and enacting all

Powers of trustees.

such ordinances and by-laws, not repugnant to the laws of this State, as shall appear to them necessary for the good government of the said Institute. A. D. 1891.

SEC. 3. That the Trustees of the said Institute shall and may have a common seal, with liberty to change or alter the same from time to time as they shall think proper, and that by their aforesaid name they and their successors shall and may be able to plead and be impleaded, answer and be answered unto, defend and be defended in all Courts within this State, and to grant, bargain, sell or assign any lands, tenements, hereditaments, goods or chattels, and to act and to do all things whatsoever for the benefit of the said Institute in as ample a manner as any person, or body politic or corporate, can or may by law. Further powers
Acts and contracts.

SEC. 4. That the said Institute may grant to students under its charge diplomas or honorary testimonials in such form as it may designate; it may also confer such literary honors, degrees and diplomas as are usually granted by any institute, college or seminary of learning in the United States. Diplomas
and degrees.

SEC. 5. That the Barnwell Association of the Baptist denomination in South Carolina is hereby authorized to make such arrangements with the said Institute for the transfer of any funds and property of the said Association or any part thereof, either absolutely or conditionally, to the said Institute, as the said Association shall deem proper. Transfer of
funds and prop-
erty.

SEC. 6. That this Act shall be deemed a public Act and continue in force for the term of twenty-five years, and from thence until the adjournment of the next session of the Legislature. Public Act.
Duration.

Approved December 23rd, A. D. 1891.

AN ACT TO INCORPORATE THE BARNWELL STREET RAILWAY AND REAL ESTATE COMPANY. No. 801.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That G. Duncan Bellenger, H. C. Hay, Willis J. Duncan, and Wm. McNab, and such other persons as they may associate with them, Incorporation.

- A. D. 1891.** bc, and they are hereby, created a body politic and corporate,
Name and powers. by the name of the Barnwell Street Railway and Real Estate Company, with the power to sue and be sued in the Courts of the State of South Carolina; to have a common seal, with the right of alteration of the same, and to make by-laws for the government of said company.
- Capital stock.** SEC. 2. That the said company shall have power to raise a capital stock of ten thousand dollars, in shares of twenty-five dollars each, for the purposes contemplated, and may increase the same to the sum of fifty thousand dollars if a majority of the shareholders may deem it necessary.
- Street railway.** SEC. 3. That the said company shall have the power to own and construct and operate, by electricity, steam, horse power, or any other power used to operate street car lines, over and through any and all streets of the town of Barnwell, the consent of the Town Council of said town having been first obtained. Said rights to be exclusive for the period of twenty years, provided the written consent of the said Council to the same be first obtained.
- Exclusive rights.**
- Real estate.** SEC. 4. That the said company shall also have the power to own, buy and sell real estate in said town, not only such as may be necessary for use of such railway, but such other lots or parcels of land as they may desire to own, buy or sell.
- Operation of road.** SEC. 5. That said company shall have power to operate their cars in the transportation of passengers and freight over the tracks they may construct in said town, in suitable carriages, and at such rates as may be fixed upon in the by-laws of the same.
- Coupon bonds.** SEC. 6. That said company shall have power and authority to issue coupon bonds to an amount not to exceed its capital stock, the same to be redeemable at such time, not exceeding twenty years, as may be agreed upon by said company, and to bear interest at such a rate as may be agreed upon by said company, not exceeding eight per cent. per annum, payable semi-annually; and for the purpose of securing said bonds so issued shall have the power to mortgage all the property, real, and personal, rights and franchises of said company.
- Mortgages.**
- Duration.** SEC. 7. That this Act shall remain in force and continue for the period of twenty years: *Provided*, That said company begin to operate its railway in said town within four years.
- Proviso.**
- Repealing clause.** SEC. 8. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 23rd, A. D. 1891.

NOTE.—For Act establishing Edisto River School District, partly in Barnwell County, see ante No. 769, p. 1204. A. D. 1891.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED AN ACT TO AUTHORIZE THE BUILDING OF A COUNTY JAIL FOR BEAUFORT COUNTY AND THE SALE OF THE PRESENT JAIL," APPROVED DECEMBER 24TH, 1890. No. 802.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Sec. 1 of an Act entitled "An Act to amend an Act entitled 'An Act to authorize the building of a County jail for Beaufort County,'" be and the same is hereby amended by striking out all of Sec. 1, after the enacting words and substituting the following to be known as Sec. 1: A. A. 1890, § 1, ante 464, amended.

SECTION 1. That Sec. 1 of an Act entitled "An Act authorizing the building of a County jail for Beaufort County and the sale of the present jail," approved December 17th, 1889, be and the same is hereby amended by striking out the word "two" before the word "years" on the 6th line of said Section and inserting the word "three," and by striking out all after the word "dollars" on the 10th line of said Section, so that said Section when so amended shall read as follows: Section 1 of amended Act. Ante 814.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor be, and he is hereby, authorized to appoint three Commissioners in the County of Beaufort whose duty it shall be to cause to be erected within three years after the passage of this Act, upon a suitable and convenient site near the court house building and within the corporate limits of the town of Beaufort, a County jail, at a cost not exceeding six thousand dollars. Section 1 of original Act as amended. Com'rs for new jail.

SEC. 2. That the following Section be added to said Act to be designated: Additional section.

SECTION 7. That the Commissioners herein provided to be appointed by the Governor be, and they are hereby, authorized and empowered to purchase a suitable and convenient site for Purchase of site.

A. D. 1891. the new jail at or near the court house in the town of Beaufort,
 Cost. at a cost not exceeding one thousand dollars, and upon the completion of said new jail the said Commissioners are hereby required to sell at private or public sale, as in their judgment may be advisable, the present jail lot and buildings, and to make good and sufficient title deed or deeds to the purchaser thereof, and to pay the proceeds of said sale into the County treasury, to be applied to the purchase of the site hereinabove provided for and to the expenses of building of the said jail.

Sale of old jail.

Application of proceeds.

Repealing clause.

SEC. 3. That all Acts and parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved December 18th, A. D. 1891.

No. 803. AN ACT TO ALLOW SHERIFFS THE SAME COMMISSIONS ON MONEYS RECEIVED AND PAID OUT ARISING FROM SALES UNDER DECREE OF COURT AS ARE NOW ALLOWED CLERKS OF THE COURT IN SIMILAR CASES.

Commissions to Sheriffs in certain counties.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly; and by the authority of the same, That from and after the passage of this Act the Sheriffs of Lancaster, Georgetown, Charleston, Chester, Beaufort and Lexington Counties shall be entitled to charge and receive the same commissions on moneys received and paid out arising from sales of property under a decree of the Court as are now allowed the Clerks of the Court in similar cases.

Repealing clause.

SEC. 2. That all Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved December 18th, A. D. 1891.

A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS OF BEAUFORT COUNTY TO ADVERTISE FOR CLAIMS AGAINST OLD BEAUFORT COUNTY, AND AFTER PAYING ALL BONA FIDE, TO USE THE FUNDS, IF ANY ARE ON HAND, FOR GENERAL COUNTY EXPENSES.

A. D. 1891.

No. 804.

Whereas, a special tax was levied in Beaufort County to pay the indebtedness of old Beaufort County, and there is now in the hands of Treasurer of said County a considerable sum of money which cannot be used for any other purpose than that for which it was levied.

Preamble.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Beaufort County are hereby authorized and required to advertise in one of the newspapers published in the County of Beaufort for one year, for any claims against the old Beaufort County, and to pay such as are approved.

Advertisement for claims.

SEC. 2. That if, after paying all claims proven against old Beaufort County, there should be any funds remaining in the Treasurer's hands, the County Commissioners of Beaufort County are hereby authorized to use same in payment of ordinary County expenses.

Use of surplus.

Approved December 24th, A. D. 1891.

AN ACT TO REGULATE THE ADMINISTRATION OF THE QUARANTINE AT THE PORT OF BEAUFORT, EMBRACING ST. HELENA ENTRANCE AND PORT ROYAL.

No. 805.

SECTION 1. *Re it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the administration of the quarantine of the Port of Beaufort, embracing St. Helena entrance and Port Royal, shall be in charge of the Township Board of Health of Beaufort Township, subject to the advice and supervision of the Executive Committee of the State Board of Health, and they shall have full power and authority to

Administration of quarantine.

A. D. 1891. make such rules and regulations for the institution and enforcement of quarantine as they may deem expedient and as may be conformable to law.

Rules and regulations.

SEC. 2. The Quarantine officers of the Port of Beaufort, St. Helena, and Port Royal shall be appointed by the Governor on the nomination of the Township Board of Health of Beaufort Township. They shall be invested with all powers and authority heretofore by law conferred upon the health officers of St. Helena and Port Royal, and they shall exercise such powers and authority under the direction and control of the said Township Board of Health of Beaufort Township. They shall each receive a salary from said Board at the rate of eight hundred dollars per annum, and the officer at St. Helena Entrance, one hundred and fifty dollars for boat hire, and the officer at Port Royal, three hundred dollars for boat hire, and each shall reside at the Quarantine station for which he is appointed. They shall be appointed during the month of January and shall hold their offices for two years, and until their successors shall be appointed unless sooner removed by the Governor at the request of the Township Board of Health of Beaufort Township, or for other reasons satisfactory to him.

Appointment of officers.

Powers of officers.

Salary and boat hire.

Residence.

Term of office.

Appropriation from State treasury.

SEC. 3. That for the purpose of carrying out the provisions of this Act with regard to the Port of Beaufort the sum of two thousand and fifty dollars shall be annually appropriated to be paid by the State Treasurer on the order of the Chairman of the Township Board of Health of Beaufort Township.

Repealing clause.

SEC. 4. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 23rd, A. D. 1891.

No. 806. AN ACT TO INCORPORATE THE "TRIMBLESTONE LAND COMPANY" AND AUTHORIZE IT TO ERECT DOCKS, WHARVES AND LANDINGS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That T. T. Hillman, W. A. Walker, George Morris, I. W. Worthington, R. H.

Incorporation.

Elliott, H. F. DeBardeleben, I. A. Huger, Jr., and Augustine T. Smythe, and all and every other person or persons hereafter becoming members of the Trimblestone Land Company, of Beaufort County, their successors and assigns, be, and the same are hereby declared, a body politic and corporate under the style and name of the "Trimblestone Land Company," and by that title shall have perpetual succession, and be capable in law of purchasing, using, holding, letting, improving, and disposing of such real and personal property as may be necessary for the objects of this incorporation; and may sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all Courts of law and equity; and may receive and make all deeds, transfers, covenants, conveyances, grants, contracts, agreements, and bargains whatsoever necessary for the said purposes; and may have and use a common seal, which they shall have power to renew or alter at pleasure; to make such by-laws for the government of said corporation as are consistent with this Act and the laws and Constitution of this State and the United States; and generally may do every act or thing necessary to carry into effect the provisions of this Act and promote the objects and designs of said company as authorized by this Act.

A. D. 1891.

Name and powers.

By-laws.

General powers.

SEC. 2. The capital stock of the said corporation shall be twenty-four thousand dollars, payable in money, land, labor, or materials, at prices to be agreed upon between the corporators hereinbefore named and the several subscribers thereto, with the privilege of increasing the same from time to time, and as often as may be deemed advisable, to any amount or amounts not exceeding one million dollars, by a vote of stockholders holding at such time or times a majority of the capital stock of the company. And the corporators hereinbefore named are hereby authorized to receive subscriptions to the original capital stock of the said corporation at such places and times as they may designate, and, after receiving the same, to call together the subscribers thereto at such time and place as they may designate, for the purpose of organizing the said corporation, at which meeting each subscriber shall be entitled to be present either in person or by proxy and vote for the number of shares so severally subscribed by them.

Capital stock.

Limit.

Books of subscription.

Organization.

SEC. 3. That each stockholder in said corporation shall be jointly and severally liable to the creditors thereof in an amount, besides the value of his shares or share therein, not exceeding five per cent. of the par value of the share or shares held by

Liability of stockholders.

A. D. 1891.

Proviso.

such stockholders at the time the demand of the creditor was created: *Provided*, That such demands shall be payable within one year, and that proceedings to hold such stockholders liable therefor shall be commenced within one year after the debt becomes due, and while he, she, or it remains a stockholder therein, or within one year after he, she, or it shall have ceased to be a stockholder: *And provided, further*, That persons holding stock in said corporation as trustees or executors, administrators, or by way of collateral security, shall not be personally subject to the liabilities of the stockholders under the foregoing provisions, but the persons pledging such stock shall be liable as stockholders, and the estates and funds in the hands of such executors or administrators shall be liable in their hands in like manner and to the same extent as the deceased testator or intestate, or the ward or person interested in said trust estate, would have been if they had respectively been living and competent to act and hold the stock in their own name.

Trustees.

Board of
directors.

SEC. 4. That the Board of Directors of the said corporation shall consist of such number of stockholders, not less than three, as the stockholders of the said corporation may by its by-laws determine. They shall be elected annually and shall serve until their successors are duly elected and qualified. And any and all meetings of the stockholders or directors of the said corporation may be held at such time and place, within or without this State, as the said corporation may, by its by-laws determine.

Meetings.

Capital stock to
be personal prop-
erty.

SEC. 5. That the capital stock of said company shall be deemed personal property, and transferable only on the books of the company in such manner as the by-laws or articles of association shall direct, and any of the owners of the lands herein authorized to be purchased by the said company may take stock to the amount of the whole or any part of his, her, or their interest therein.

Lands sub-
scribed as stock.Subdivisions
of land.

SEC. 6. That the said company be, and it is hereby, empowered to improve all such lands as it owns, or may hereafter purchase, by laying out the same into lots, streets, squares, lanes, alleys, and other divisions; by levelling, raising, and grading the same, or erecting thereon all such wharves, workshops, factories, warehouses, stores, dwellings, tramways, or street railways, and such other buildings or improvements as may be found or deemed necessary, ornamental, or convenient, and constructing on the lands of the said company aqueducts and reservoirs for conveying, collecting, and providing pure and wholesome water, and letting, renting, leasing, mortgaging, selling, or

Wharves and
other improve-
ments.

Aqueducts, &c.

Leases,
mortgages, &c.

changing the same, or using any lot or other portion of any of the said lands for depots and for agricultural, mining, and manufacturing purposes; and it shall have power to fill up, occupy, possess, and enjoy all lands covered with water fronting and adjoining the lands that may be owned by it: *Provided*. It shall not impair the navigation of any stream; and it may construct thereon wharves, harbors, piers, and slips, and all other structures requisite or proper for commercial and shipping purposes; and it may enjoy ferry rights on all lands owned by said company suited for such purposes, or when it shall have purchased the ferry right from the owners thereof; and it may also purchase and build steamboats, steamers, and other vessels; and it shall have power to invest its funds or property in the capital stock of and become and remain a stockholder in any other corporation formed, or to be formed, or in the bonds of such corporations, and to retain or dispose of the same in whole or in part at pleasure.

A. D. 1891.

May fill up lands.

Proviso.

Shipping improvements.

Ferry rights.

Vessels.

Investments.

SEC. 7. That the said corporation shall have power, from time to time, to issue bonds for the payment of money borrowed, or for its indebtedness, or for such other purpose as it may find necessary, and to secure the same by mortgage or mortgages on the whole or any part of its property.

Bonds and mortgages.

SEC. 8. That the said corporation shall have power to consolidate with any other corporation or corporations that now are or hereafter may be incorporated, on such terms and under such corporate name as may be agreed upon by the stockholders holding a majority of the capital stock of each of the said corporations, acting separately and thereupon such consolidated corporation shall have all the rights, powers, and franchises enjoyed and possessed by each of the said consolidating corporations, and the capital stock of the said consolidated corporation shall be issued and apportioned among the stockholders of the consolidating corporations in such manner as may be determined by said majority in amount of the stockholders of each of said consolidating corporations, and to take up, if deemed proper and best, the individual stock of each of such corporations, and to replace it with stock of the consolidated corporation in such amounts as may in like manner be agreed upon.

Consolidation with other companies.

Rights of consolidated companies.

Shares of stock.

SEC. 9. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Repealing clause.

SEC. 10. That this Act shall be deemed a public Act, and shall

Public Act. When to take effect.

A. D. 1891.

go into effect from and immediately after the date of its approval.

Approved December 18th, A. D. 1891.

No. 807. AN ACT TO RENEW THE CHARTER OF "THE BEAUFORT FEMALE BENEVOLENT SOCIETY" OF BEAUFORT, S. C., AND TO MAKE VALID ALL ACTS DONE BY IT SINCE THE EXPIRATION OF ITS CHARTER.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of "The Beaufort Female Benevolent Society," of Beaufort, S. C., approved December 17. A. D. 1831, be, and the same is hereby, renewed.

SEC. 2. That all acts done and permitted by the said society, and all conveyances and deeds of lands or other property made by it, and all devises and bequests of land or other property which it has received or acquired since the expiration of its charter, be, and the same are hereby, confirmed and validated.

SEC. 3. That this Act shall take effect immediately upon its approval.

Approved December 16th, A. D. 1891.

No. 808. AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF BERKELEY COUNTY TO LEVY A SPECIAL TAX ON SCHOOL DISTRICT No. 3, TO PAY ITS PAST INDEBTEDNESS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Berkeley County be, and are hereby, authorized and instructed on the petition of the majority

of the resident freeholders of School District No. 3, of the afore-
said County, to make a special tax levy on said school district
to pay its past school indebtedness; *Provided*, Said special tax
levy be made within ninety days after the approval of this Act.

A. D. 1891.

Proviso.

Approved December 18th, A. D. 1891.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO LIMIT No. 809.
AND FIX THE NUMBER OF TRIAL JUSTICES AND CONSTABLES
IN BERKELEY COUNTY AND TO PROVIDE FOR THE MANNER
AND AMOUNT OF THEIR COMPENSATION."

SECTION 1. *Be it enacted* by the Senate and House of Repre-
sentatives of the State of South Carolina, now met and sitting
in General Assembly, and by the authority of the same, That
an Act entitled "An Act to limit and fix the number of Trial
Justices and Constables in Berkeley County and to provide for
the manner and amount of their compensation," be, and the
same is hereby, amended by striking out after the first Section
thereof except the third and fourth Sections and inserting in
lieu of the Section so stricken out the following:

A. A. 1890,
ante 821. amend-
ded.

SECTION 2. That the said Trial Justices shall be located as
follows: One on Edisto Island, one on Wadmalaw Island, one
on John's Island, one in the Parish of St. Andrew's, four in the
Parish of St. James Goose Creek, two in the Parish of St.
John's Berkeley, two in the Parish of St. Stephen's, one in the
Parish of St. Thomas and St. Dennis, one at Mt. Pleasant in the
Parish of Christ Church, and two in the Parish of St. James
Santee.

Location of
Trial Justices.

SECTION 3. The said Trial Justices shall each receive a salary
of one hundred dollars per annum, such salary to be in lieu
of all costs and fees in criminal cases, except where the same
are paid by the defendant after conviction, in which case they
shall be entitled to receive the costs and fees now allowed by
law.

Salary in lieu
of costs.

SECTION 4. The said salary shall be payable quarterly by the
County Treasurer, upon a warrant issued by the Board of
County Commissioners, out of any funds he may have on hand
for such purposes: *Provided*, The County Commissioners shall

Payable
quarterly.

Itemized
statement.

A. D. 1891.

not issue such warrant for any such quarterly payment until the Trial Justice applying for same shall make out and file with said Board a statement, on oath, of all fines collected by him during the period for which such salary may be due, and that the same has been paid over by him to the County Treasurer.

Constables and
their compensa-
tion.

SECTION 5. Each of the said Trial Justices may appoint a Constable to serve and execute such process as he may issue, and each of said Constables shall receive as compensation for his services, and in lieu of all costs and fees in criminal cases, except where the same are paid by the defendant after conviction, the sum of one hundred dollars per annum, payable in the same manner and at the same time as the salary of the Trial Justices.

Monthly re-
ports and pay-
ments.

SECTION 6. Each Trial Justice shall make monthly reports, duly verified, to the County Treasurer of all fines collected by him during the preceding month, and shall at the time of making such report turn over all such fines to said Treasurer.

Change in
numbering.

SEC. 7. That Sections 3 and 4 of said Act be changed to Sections 7 and 8 respectively.

Approved December 22nd, A. D. 1891.

No. 810. AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO AUTHORIZE AND EMPOWER THE MASTER FOR THE COUNTY OF BERKELEY TO SELL REAL ESTATE UNDER THE ORDER OF THE COURT AT THE POST OFFICE IN THE CITY OF CHARLESTON.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to authorize and empower the Master for the County of Berkeley to sell real estate, under order of the Court, at the Post Office in the City of Charleston," be, and the same is hereby, repealed.

A. A. 1883,
18 Stat., 498, re-
pealed.

Approved December 24th, A. D. 1891.

**A JOINT RESOLUTION TO PROVIDE FOR THE INVESTIGATION
OF THE BOOKS, PAPERS, AND ACCOUNTS OF THE COUNTY OF-
FICERS OF BERKELEY COUNTY AND TO PROVIDE FOR THE PAY-
MENT OF THE EXPENSES OF THE SAME.**

A. D. 1891.

No. 811.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That T. F. H. Peck, H. C. Mensing, and F. Y. Legare be, and they are hereby, appointed as a special commission to investigate the books, papers and accounts of all the County offices and officers of Berkeley County. with power and authority to employ an expert and to fix his compensation and to call for persons and papers, to administer oaths, and to take testimony concerning said investigation, to preserve order, and if in their judgment the same be necessary or proper, they may extend such investigation retrospectively to the year A. D. 1882. For such service each Commissioner shall receive one and one-half dollars per day, and the mileage now allowed to grand jurors while necessarily engaged in such investigation, not to exceed forty days, to be paid with the cost of any expert hired by them by the County Treasurer on the warrant of the County Commissioners on their account made out, witnessed and verified, to be paid from any County funds not otherwise appropriated.

Commissioners
appointed.
Their powers
and duties.

Compensation.

SEC. 2. That said special Commissioners shall make up their full report in writing as soon as they shall have completed their investigation, and shall file the same in the office of the Clerk of Court for said County, and the Clerk of Court shall present the same to the next presiding Judge in open Court for submission to the grand jury of said County.

Report.

SEC. 3. That if either one or more of said special Commissioners refuse to serve or become disqualified, it shall be the duty of the grand jurors to appoint one or more to fill the place or places of such as refuse to serve or as become disqualified in any way.

Vacancies.

Approved December 23rd, A. D. 1891.

A. D. 1891. **AN ACT TO PROVIDE THAT THE TRIAL JUSTICE AT RIDGEVILLE, IN COLLETON COUNTY, SHALL HAVE JURISDICTION FOR FIVE MILES FROM THE TOWN OF RIDGEVILLE, IN THE COUNTY OF BERKELEY, IN ADDITION TO HIS JURISDICTION IN COLLETON COUNTY.**

No. 812.

Area of
jurisdiction.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Trial Justice at Ridgeville, in Colleton County, shall hereinafter have jurisdiction for five miles from said Town Ridgeville, in Berkeley County, in addition to the jurisdiction he now has in the County of Colleton.

Approved December 24th, A. D. 1891.

No. 813. **AN ACT TO EXEMPT A CERTAIN SECTION OF BERKELEY COUNTY FROM THE OPERATIONS OF CHAPTER XXVII., TITLE X., OF THE GENERAL STATUTES, RELATING TO THE GENERAL STOCK LAW, AND TO AMEND "AN ACT TO EXTEND THE TIME FOR BUILDING A FENCE, AS PROVIDED IN SECTION 3 OF AN ACT ENTITLED 'AN ACT TO EXEMPT CERTAIN PORTIONS OF GLASSY MOUNTAIN TOWNSHIP, IN GREENVILLE COUNTY, FROM THE OPERATIONS OF THE PROVISIONS OF CHAPTER 27 OF THE GENERAL STATUTES OF THIS STATE ENTITLED GENERAL STOCK LAW AND FENCING STOCK,'" AND ALSO TO AMEND AN ACT ENTITLED "AN ACT TO EXEMPT CERTAIN PORTIONS OF LEXINGTON COUNTY FROM THE OPERATIONS OF CHAPTER XXVII. OF THE GENERAL STATUTES OF THIS STATE, RELATING TO THE STOCK LAW."**

Area of exempt-
ed section.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all that section of Berkeley County included within the following described limits and boundaries be, and is hereby, exempted from the operation of Chapter XXVII., Title X., of the General Statutes, relating to the general stock law :

Beginning at Hilton's Cross Roads, on the State Road, thence down the said road to the thirty-five mile post; thence along a

road leading from the thirty-five mile post to the residence of Henry Measels, and from thence to a point where said road is intersected by the lines separating the lands of Frederick Connor and the late G. W. Shingler; thence southward along the line of Frederick Connor's land to where it is intersected by the Colleton and Berkeley County line; thence down the said line to where it is intersected by the line of incorporation of the town of Summerville; then following Colleton County line down to point opposite Eighteen (18) Mile Post on S. C. Ry.; then direct air line from Eighteen Mile Post on S. C. Ry. to Mt. Holly on N. E. R. Rd.; following N. E. R. Rd. South to Sixteen Mile Crossing of N. E. R. Rd. with State Road; down State Road to Back River Road; along Back River Road to Hannahan's Canal; along Hannahan's Canal to Foster's Creek; along Foster's Creek to Back River; along Back River to its headwaters; from headwaters of Back River through Chappel's Swamp to Chappel's Church on Monk's Corner Road to Strawberry Road; then along Strawberry Road to Strawberry Station on the Northeastern Railroad; thence along the line of the Northeastern Railroad to Oakley Station; thence along the road leading from Oakley Station to the Barrows; from thence along the road leading from the Barrows to Isaac Brown's premises, at which point it will take a northerly direction to the settlement belonging to the estate of D. M. Winter, following then the line fence already constructed contiguous to the plantations known as Bunker Hill, Summerset, Hog Swamp, White Hall, Banasterdown, Ophir Wards, Duck Pond to Friendship Church, where it will take the Ridge or Calamus Pond road to the Monk's Corner road to Calamus Pond, along West Point road to West Point, and then along New Road to Hilton's Cross Road, the commencing point.

SEC. 2. That whenever any horse, mule, ass, genet, swine, sheep, goat, or neat cattle, of any description, or any other domestic animals, shall be permitted to run at large without the limits of the above sections of Berkeley County, the same shall be subject to all the provisions of Chapter XXVII., Title X, of the General Stock Law.

Animals outside of exempted territory.

SEC. 3. That the time within which a fence was to have been built and completed, as provided for in Section 3 of an Act entitled "An Act to exempt certain portions of Glassy Mountain Township in Greenville County from the operations of the provisions of Chapter 27 of the General Statutes of this State, entitled General Stock Law and Fencing Stock," and also to

Time for building fence in Lexington extended.

A. D. 1891. amend an Act entitled, "An Act to exempt certain portions of Lexington County from the operations of Chapter XXVII. of the General Statutes of this State, relating to the Stock Law," approved December 23d, 1890, be and the same is further amended by extending the time for building said fence in Lexington County to the 20th day of December, A. D. 1892.

Ante 939.
Repealing clause. SEC. 4. That all Acts and parts of Acts inconsistent with this Act are hereby repealed.

Approved December 23rd, A. D. 1891.

No. 814. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOWN OF MT. PLEASANT,' AND TO PROVIDE FOR A SCHOOL TAX."

*A. A. 1883, § 1,
18 Stat., 312,
amended.* SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to renew and amend the charter of the town of Mount Pleasant," approved December 19th, 1883, be, and the same is hereby, amended by striking out all of said Section, after the word "town," on the twelfth line thereof.

Execution for taxes. SEC. 2. That hereafter, immediately upon the expiration of the time allowed by law for the payment of taxes in any year, the Town Treasurer of the town of Mt. Pleasant shall, and he is hereby authorized and directed to issue, in the name of the town of Mt. Pleasant, a warrant or execution in duplicate against each defaulting taxpayer in said town, signed by him in his official capacity, directed to the Marshal of said town, requiring and commanding him to levy the same by distress and sale of so much of the defaulting taxpayer's estate, real or personal, or both, as may be sufficient to satisfy the taxes of such defaulting taxpayer, specifying therein the aggregate amount of all his taxes, as well as the amount of each fund, which warrant or execution shall run substantially as follows (filling the blanks to suit each case), viz.:

Form of warrant or execution. _____, Treasurer of the town of Mount Pleasant, to Marshal of said town: Whereas,



has been duly assessed the sum of _____ dollars, for defraying the expenses of the said town of Mt. Pleasant and the schools thereof, for the fiscal year beginning the _____ day of _____, 18____, as follows, to wit: For defraying expenses of the town, \$ _____; for public schools, \$ _____; for special, \$ _____; which _____ has neglected to pay: These are, therefore, in the name of said town, strictly to charge and command you to levy by distress and sale of the personal property, and if sufficient personal property cannot be found, then by distress and sale of the land of the said _____ the sum of _____ dollars, together with _____ dollars, the charges hereof; and for so doing, this shall be your sufficient warrant. Given under my hand and official seal, the _____ day of _____, A. D. 18____.

A. D. 1891.

[L. S.], Treasurer of the Town of Mt. Pleasant. And for issuing such execution or warrant in duplicate, as above stated, such Treasurer shall be entitled to charge against such defaulter the sum of one dollar (\$1.00).

Fee of treasurer.

SEC. 3. The Marshal, to whom such warrant shall be directed, shall take from such defaulter the following fees and no other in the execution of his office: For serving each warrant, \$1.00; for advertising, \$1.00.

Fees of marshal.

SEC. 4. That after due advertisement of the same, the Intendant, or, in case of his death or disability, the acting Intendant thereof, shall sell and convey the property so seized, or so much thereof as may be necessary to pay the taxes, costs, and penalties so due, for cash, at public auction, in front of the Council Chamber in said town of Mount Pleasant, and apply the proceeds of such sale to the payment of such taxes, costs, and penalties, and turn over the surplus, if any there be, to the owner of the property so seized and sold. And the said Intendant is hereby authorized, empowered, and directed to put the purchaser or purchasers of such property so sold into possession thereof. That for making the sale and executing the deed of conveyance herein directed, the said Intendant shall take from such defaulting taxpayer the sum of three (\$3) dollars.

Sale of property seized.

Application of proceeds.

Purchaser to be put in possession.

Costs.

SEC. 5. The manner and time of seizing, levying, advertising, and selling, making conveyance and putting the purchaser or purchasers into possession of the property sold and conveyed under this Act, shall, as nearly as may be, conform in all respects to the provisions of Section 2 of an Act entitled "An Act in re-

Manner, time, &c.

A. D. 1891.

19 Stat., 862.

Rights of
purchaser.

19 Stat., 862.

Change in
numbering.

Repealing
clause.

lation to forfeited lands, delinquent lands, and collection of taxes," approved December 24th, A. D. 1887.

SEC. 6. The purchaser or purchasers at such sale shall have and enjoy all the rights, powers, and privileges, and the delinquent taxpayer be subject to all the disabilities, requirements, and limitations set forth in an Act entitled "An Act in relation to forfeited lands, delinquent lands, and collection of taxes," approved December 24th, A. D. 1887.

SEC. 8. That Section 2 of the Act hereby amended shall be changed and become Section 7.

SEC. 9. That all Acts and parts of Acts inconsistent with or repugnant to this Act be, and the same are hereby, repealed.

Approved December 5th, A. D. 1891.

No. 815. AN ACT TO REPEAL SECTIONS 1, 2, 3, AND 4 OF AN ACT ENTITLED "AN ACT TO AMEND THE CHARTER OF THE TOWN OF MOUNT PLEASANT SO AS TO PROVIDE FOR A REGISTRATION OF THE VOTERS OF SAID TOWN, AND TO ENLARGE THE POWERS OF THE MANAGERS OF ELECTION OF INTENDANT AND WARDENS OF SAID TOWN."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Sections 1, 2, 3, and 4 of an Act entitled "An Act to amend the charter of the town of Mount Pleasant so as provide for a registration of the voters of said town and to enlarge the powers of the managers of election of Intendant and Wardens of said town," approved 22d December, 1885, be, and the same is hereby, repealed.

Approved December 23rd, A. D. 1891.

A. A. 1886,
221-4, 19 Stat.,
126, repealed.

AN ACT TO INCORPORATE THE TOWN OF ST. STEPHENS IN
BERKELEY COUNTY.

A. D. 1891.

No. 816.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States who now are or may hereafter be inhabitants of the Town of St. Stephens, in Berkeley County, shall be deemed and are hereby declared to be a body politic and corporate, and the said town shall be known by the name of St. Stephens, and the limits shall extend three fourths of a mile in each direction from the depot of the North Eastern Railroad.

Incorporation.

Name and
limits.

SEC. 2. That said Town shall be vested with all the rights, powers and privileges granted by and be subject to all the limitations and provisions contained in an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23rd, A. D. 1885.

Rights and
limitations.

19 Stat., 174.

SEC. 3. The Intendant and Wardens of the said Town, or a majority of them, shall have full power to grant or refuse license to keep taverns or retail spirituous liquors within the corporate limits of the said Town upon such conditions and under such circumstances as to them shall seem right and proper: *Provided*, That in no instance shall the price of a license to keep a tavern or to retail spirituous liquors be less than the amount that is established by the State, and all moneys paid for licenses and forfeitures shall be appropriated to the public uses of said town: *Provided, further*, That the Intendant and Wardens duly elected shall not have power to grant any license to keep taverns or retail spirituous liquors to extend beyond the term for which they have been elected.

Liquor licenses.

License fee.

Term of license.

SEC. 4. That this Act shall be deemed a public Act and shall continue in force for thirty years from the date of its passage and until the final adjournment of the General Assembly next thereafter.

Public Act.
Duration.

Approved December 22nd, A. D. 1891.

A. D. 1891. **AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO VEST IN E. C. WILLIAMS, HIS HEIRS AND ASSIGNS, THE CHARTER OF THE FERRY KNOWN AS THE JOHN'S ISLAND FERRY."**
 No. 817.

A. A. 1873, 16
 Stat., 338, amend-
 ed.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act entitled "An Act to vest in E. C. Williams, his heirs and assigns, the charter of the Ferry known as the John's Island Ferry," be, and the same is hereby, amended so that said Act when amended shall read as follows:

Vested in
 Co. Comr's.

SEC. 2. That the ferry known as John's Island Ferry be, and the same is hereby, rechartered and vested in the Board of County Commissioners of Berkeley County, and their successors in office, for the following purposes and no other: That the Board of County Commissioners and their successors in office be, and are hereby, authorized and instructed to appoint a Board of Ferry Commissioners consisting of three resident freeholders of John's Island, and to fill all vacancies occasioned by death, resignation, or otherwise on said board, whose term of office shall expire with the Commissioners appointing them.

Board of
 Ferry Comr's.

Vacancies.

Term of office.

Lease
 authorized.

Rental.

Disposition of
 rental.

Special
 provisions.

Subject to pro-
 visions of law.

Tolls.

The Board of Ferry Commissioners are authorized and empowered to lease the ferry for a term not exceeding two years to some good and responsible person who shall provide a sufficient number of good boats and flats. The lessee shall annually pay to the Chairman of the Ferry Commissioners the sum of one hundred and fifty dollars to be expended under his directions as follows: One hundred and twenty-five dollars to be used in keeping in repair, as far as said sum will, the causeways leading to the ferry, the balance, twenty-five dollars, to be retained by the Chairman as payment for his services. The Ferry Commissioners are further authorized and empowered, if they deem it necessary, to allow the lessee to suspend the ferriage of everything except foot passengers, one hour previous to one of the morning and one of the evening trains going to Charleston, said trains to be specified by the Commissioners, and shall be publicly posted on each side of the river by the lessee. The Ferry Commissioners are authorized to regulate the hours of opening and closing: *Provided*, The time shall be specified when the lease is made. The lessee shall be subject to all the provisions of Chapter XXIV., Title X., of the General Statutes, relating to bridges, turnpikes and ferries, which applies to the owners of ferries, and shall be allowed the rate of toll men-

tioned in said Chapter, except for those hereinafter mentioned, he be only allowed the rate thereunto attached. For each foot passenger (5) cents; for each man and horse (25) cents; for each buggy, wagon, carriage or cart drawn by one horse (35) cents.

A. D. 1891.

SEC. 2. That all Acts and parts of Acts inconsistent with this Repealing Act are hereby repealed. clause.

Approved December 16th, A. D. 1891.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT RELATING TO No. 818.
THE COMPENSATION AND DUTIES OF CERTAIN OF THE COUNTY
OFFICERS IN AND FOR THE COUNTY AND CITY OF CHARLES-
TON," AND TO PROVIDE FOR THE PAYMENT OF WITNESSES FOR
THE STATE IN THE COURT OF GENERAL SESSIONS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act relating to the compensation and duties of certain of the County officers in and for the County and city of Charleston," approved December 22nd, A. D. 1886, be, and the same is hereby, amended by striking out Section 16 thereof.

A. A. 1886, §
16, 19 Stat., 523,
repealed.

SEC. 2. That from and after the approval of this Act, witnesses for the State in the Court of General Sessions for Charleston County, residing in and attending said Court from so much of the said County as formerly composed the parishes of St. James, Santee, Christ Church, and St. Andrews, shall be allowed such fees and compensation as are provided for by Section 2197 of the General Statutes.

Fees of witnesses in Charleston.

Approved December 18th, A. D. 1891.

A. D. 1891. AN ACT RELATING TO THE SALARY OF THE SCHOOL COMMISSIONER FOR CHARLESTON COUNTY.
No. 819.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, the School Commissioner for Charleston County shall be paid a stated salary of six hundred dollars per annum, payable by the County Treasurer in equal monthly instalments, which salary shall cover also all travelling expenses that may be incurred.

Amount of salary.

To cover travelling expenses.

Repealing clause.

SEC. 2. That all Acts or parts of Acts inconsistent herewith be, and the same are hereby, repealed.

Approved December 22nd, A. D. 1891.

No. 820. AN ACT TO AUTHORIZE AND REQUIRE THE COMMISSIONERS OF PILOTAGE FOR THE PORT OF CHARLESTON TO ESTABLISH STATION BOATS ON THE BAR OF CHARLESTON.*

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Board of Commissioners of Pilotage for the port of Charleston shall have the power, and are hereby authorized, to establish station boats on the bar of Charleston.

Powers of the Board.

Station duty by pilot boat.

Penalty for failure.

Charge.

Rules and regulations.

SEC. 2. That each regular licensed pilot boat for the harbor and bar of Charleston shall perform and keep station duty, unless prevented by stress of weather, at or near the bar of Charleston, alternately, for six days each, whenever it becomes the turn of such said pilot boat to perform the same, or to furnish as a substitute another licensed pilot boat, under a penalty of fifty dollars for each day's offence; said pilot boat to be in charge of a full branch licensed pilot for the bar and harbor of Charleston, and the services of any pilot boat when on station shall be free of charge.

SEC. 3. That the Board of Commissioners of Pilotage shall have power, and are hereby authorized, to make such rules and

* An exact duplicate of this Act was passed by the General Assembly, and was approved by the Governor on December 22nd, 1891.—Editor.

regulations for the governing of station boats on duty not inconsistent with this Act as to them, or a majority of them, may appear suitable and proper; and any such pilot boat refusing or neglecting to conform to any such rules and regulations, the pilot at the time in command shall be subject to a fine in the sum of not exceeding fifty dollars, or in case of non-payment of fine imposed within thirty (30) days, be suspended for not over sixty (60) days.

A. D. 1891.
Fines and penalties.

SEC. 4. That all fines collected under the provisions of this Act shall be paid over to the Board of Harbor Commissioners for the harbor of Charleston, and by them used and disbursed.

Appropriation of fines.

SEC. 5. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Repealing clause.

Approved December 16th, A. D. 1891.

AN ACT TO AMEND SECTION 23 OF AN ACT ENTITLED "AN ACT No. 821. TO REGULATE THE PILOTAGE AT THE PORT OF CHARLESTON."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to regulate the pilotage at the Port of Charleston," approved March 4th, 1878, be amended as follows: That Section 23 of said Act be amended so as to read as follows:

A. A. 1878, §23, 16 Stat., 421, amended.

SECTION 23. That the Board of Commissioners of Pilotage for the port of Charleston shall have the power and authority to prescribe to the licensed pilots for the bar and harbor of Charleston such orders and regulations not inconsistent with this Act; to arbitrate and adjudge all questions of dispute between pilots as to the pilotage of outward and inward bound vessels, as to them, or a majority of them, may appear suitable and proper; and any such pilot neglecting or refusing to conform to any such order or regulation shall be suspended for not more than three (3) months, or fined in a sum not exceeding one hundred dollars, or both, at the discretion of the said Board of Commissioners, or a majority of them.

Regulations for pilots.
Arbitration of disputes.
Punishment of pilots.

Approved December 22nd, A. D. 1891.

A. D. 1891. AN ACT TO REMOVE ANY DOUBT AS TO THE DUTY OF THE
 No. 822. SUPERVISOR OF REGISTRATION FOR CHARLESTON COUNTY IN
 REGARD TO THE ELECTION OF MAYOR AND ALDERMEN OF
 THE CITY OF CHARLESTON, AND TO MAKE PROVISION IN
 CASE OF ANY FAILURE, NEGLECT OR INABILITY TO PER-
 FORM SAID DUTY.

Preamble. *Whereas, Doubts have arisen as to the duty of the Supervisor of Registration for Charleston County in regard to the election of Mayor and Aldermen of the City of Charleston under the provisions of an Act, approved December 24th, 1890, and entitled "An Act to amend Part I., Title II., Chapter X., Section 163, of the General Statutes of South Carolina, relating to the location and names of voting precincts, and Acts amendatory thereof, so far as the same relate to the voting precincts in the city of Charleston, to rearrange the said precincts for all elections, whether State, federal or municipal, and to provide for a revision of the registration of electors in accordance therewith." Therefore,*

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That at each and every election of Mayor and Aldermen of the city of Charleston, whether the same be a regular election or one to supply a vacancy or vacancies in any of the said offices, the Supervisor of Registration for Charleston County shall furnish the managers of such election with one of the registration books for each such precinct, or with a copy of such book, duly certified by the said Supervisor to be a true copy; for the care and custody of which the managers receiving the same shall be responsible, and which they shall return to the Supervisor of Registration within three days after the close of the election:*

Managers to be
furnished with
registration
books.

Responsibility
of managers.

Production of
registration cer-
tificate.

Proviso.

Provided, however, That in case the Supervisor of Registration for Charleston County shall fail, neglect or be unable to furnish the managers of such election with the registration books or with copies of such books, duly certified by the said Supervisor as required hereinbefore, in time for any such election, then, and in such case, the production by any voter qualified to vote at such election and offering to vote thereat, of his registration certificate issued in accordance with law shall be sufficient evidence of his having been duly registered: Provided, Said certificate of registration shall have been issued on or before the thirty-first day of May, eighteen hundred and ninety-one, by

the Commissioners appointed under the provisions of the Act mentioned in the preamble hereof or by any Supervisor of Registration for Charleston County since the date last named. A. D. 1891.

SEC. 2. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed. Repealing clause.

SEC. 3. That this Act shall take effect from and immediately after its approval. When to take effect.

Approved December 4th, A. D. 1891.

AN ACT TO AUTHORIZE THE CITY COUNCIL OF CHARLESTON TO ISSUE COUPON BONDS, AT A RATE OF INTEREST NOT EXCEEDING FIVE PER CENT. PER ANNUM, FOR THE PURPOSE OF TAKING UP OR EXCHANGING THE SEVEN PER CENT. COUPON BONDS OF SAID CITY, MATURING IN 1892, 1893, 1894, 1895, 1896, AND 1897. No. 823.

Whereas, certain seven per cent. coupon bonds of the city of Charleston, heretofore issued pursuant to law, will become due as follows, that is to say: Preamble.

In 1892, seventy thousand dollars (\$70,000); in 1893, sixty-two thousand one hundred dollars (\$62,100); in 1894, seventy-three thousand seven hundred dollars (\$73,700); in 1895, ninety-one thousand five hundred dollars (\$91,500); in 1896, sixty-seven thousand dollars (\$67,000); in 1897, twenty thousand dollars (\$20,000); aggregating three hundred and eighty-four thousand three hundred dollars (\$384,300). *And whereas*, it is the desire of the City Council of Charleston to provide for the payment or exchange of the said bonds, so maturing as aforesaid, by the issue of new bonds, in the aggregate not exceeding the said sum of three hundred and eighty-four thousand three hundred dollars, and bearing interest at a rate not exceeding five per centum per annum. Now, therefore,

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of the payment or exchange of the seven per cent. coupon bonds of the city of Charleston, falling due in 1892, 1893, 1894, 1895, 1896, and 1897, the City Council of Issue of new bonds.

A. D. 1891. Charleston be, and they are hereby, authorized and empowered, from time to time, to execute and issue coupon bonds, payable in thirty years from their respective dates, to an amount not exceeding in the aggregate three hundred and eighty-four thousand three hundred dollars, said bonds to bear interest at a rate not exceeding five per centum per annum, payable semi-annually, and to be exchanged at par for the said seven per cent. bonds maturing as aforesaid, and to bear date from the date of the payment or exchange of the said bonds for which they shall be respectively exchanged.

Bonds non-taxable, coupons receivable for taxes. SEC. 2. That the said bonds shall not be taxable by the city of Charleston for any purpose whatsoever, and the coupons shall be receivable in payment of taxes due to the said city.

Where payable. SEC. 3. That the principal and interest of said bonds shall be payable at such places as the City Council may by ordinance provide.

Approved December 16th, A. D. 1891.

No. 824. AN ACT TO INCORPORATE THE AMERICAN LAND IMPROVEMENT AND MANUFACTURING COMPANY.

Incorporation. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. P. K. Bryan, Julian Fishburne and J. Lamb Perry, and all and every person, or persons, hereafter becoming members of the American Land Improvement and Manufacturing Company of Charleston County, their successors, and assigns, be, and the same are hereby, declared a body politic and corporate, under the name and style of the "American Land Improvement and Manufacturing Company," and by that title shall have perpetual succession, and be capable, in law, of purchasing, leasing, using, holding, letting, improving and disposing of such real and personal property as may be necessary for the objects of this incorporation; and may sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all Courts of law and equity, and may receive and make all deeds, transfers, covenants, conveyances, grants, contracts,

Name and succession. Property rights.

Other powers.

agreements and bargains whatsoever necessary for the said purposes, and may have and use a common seal, which they shall have power to renew, or alter, at pleasure; to make such by-laws for the government of said corporation as are consistent with this Act, and the laws and Constitution of this State, and the United States, and generally may do every act, or thing, necessary to carry into effect the provisions of this Act, and promote the objects and designs of said company, as authorized by this Act.

A. D. 1891.

General powers.

SEC. 2. The capital stock of said company shall be five hundred thousand dollars, with the privilege of increasing the same to two million dollars, to be divided into shares of one hundred dollars each, and shall be raised in the following manner: The following named persons are hereby appointed Commissioners to receive subscriptions to the capital stock, to wit: J. P. K. Bryan, Julian Fishburne and J. Lamb Perry. The said Commissioners or a majority of them, shall open books at such places and times as they shall appoint, and receive subscriptions to the said stock; and every person who shall become a holder or entitled to one or more shares of the said stock, shall thereupon become a member of the "American Land Improvement and Manufacturing Company," hereby incorporated, and every person on being divested of all shares of said stock by transfer or otherwise, shall thereupon cease to be a member of the said company: *Provided*, That the Board of Directors shall have power in like manner and at such times as they shall see fit, (by and with the consent of the majority of the stockholders, in ratio of shares,) to increase the said capital to the sum of two million dollars. The said capital stock to be paid in monthly instalments of one dollar for each share, and whenever the books of said company shall show net earnings equal to a dividend of six per cent. per annum on the par value of the capital stock, the said company shall issue the stock to the subscribers thereof without the collection of further instalments: *Provided*, That any subscriber shall have the right to anticipate the payment of his subscription, by paying fifty instalments in advance, and have the stock issued to him as fully paid up. All subscriptions to the capital stock of said company shall be payable in current funds, labor or property, on such terms as the Board of Directors may prescribe: *Provided, further*, That the Board of Directors shall have power in like manner and at such times as they shall see fit (by and with the consent of the majority of the stockholders, in ratio of shares) to issue common stock of the

Capital stock.

Commissioners.

Books of subscription.

Members.

Increase of capital stock.

How paid.

Payments in anticipation.

In what payable.

Common stock.

A. D. 1891.

par value of one hundred dollars each, to any amount not exceeding two million dollars, which shall be paid for in current funds, labor or property, real or personal, in such manner as the by-laws may provide for, and they are also empowered and privileged (by and with the consent of the majority of the stockholders, in ratio of shares) to issue preferred stock, at a rate not exceeding seven per cent. per annum, to the value of any property, real or personal, that the said company may purchase or hold; said stock to be preferred both as to principal and interest, but the said preferred stock not to have the right to any voting power.

Liability of
stockholders.

Proviso.

Trustees.

SEC. 3. That each stockholder in said corporation shall be jointly and severally liable to the creditors thereof in an amount, besides the value of his share or shares therein, not exceeding five per cent. of the par value of the share or shares held by such stockholders at the time the demand of the creditors was created: *Provided*, That such demand shall be payable within one year, and that proceedings to hold such stockholder liable therefor shall be commenced within two years after the debt becomes due, and while he, she, or it remains a stockholder therein, or within two years after he, she, or it shall have ceased to be a stockholder: *And, provided further*, That persons holding stock in said company as trustees or executors, administrators, or by way of collateral security, shall not be personally subject to the liabilities of stockholders under the foregoing provisions, but the persons pledging such stock shall be liable as stockholders, and the estates and funds in the hands of such executors or administrators shall be liable in their hands in like manner and to the same extent as the deceased testator or intestate, or the ward or person interested in said trust estate would have been if they had, respectively, been living and competent to act and hold the stock in their own names.

Report of
Directors.

Term of office.

Election of
Directors.

SEC. 4. That when two hundred shares of said stock shall be subscribed, the members of said company shall proceed to elect, after having given ten days' notice in any newspaper of the County of Charleston of the time and place of such election, a Board of Directors, who shall continue in office until the first Thursday in January, 1893, and until others shall be chosen; and the members of the said company shall, annually thereafter, on the first Thursday in January, elect from the stockholders of said company a Board of Directors to serve for the term of twelve months, and until others shall be chosen; and the election of the Board of Directors shall be conducted in accordance

with the by-laws or regulations hereafter to be made by a majority of the stockholders who may vote either in person or by proxy, and all elections shall be by ballot. Each share of stock on which all instalments due have been paid shall entitle the holder thereof to one vote, and the Board of Directors, during their term of service, shall have the sole management and direction of the stocks, property, affairs, and concerns of said company. The number of Directors shall not be less than three nor more than nine.

A. D. 1891.

Voting.

Powers of board.

Number.

SEC. 5. That the capital stock of said company shall be deemed personal property, and transferable only on the books of the company, in such manner as the by-laws or articles of association shall direct; and any of the owners of the lands or personal property herein authorized to be purchased by the said company may take stock to the amount of the whole or any part of his, her, or their interest therein.

Shares of stock.

Land as stock.

SEC. 6. That the said company be, and it is hereby, empowered to improve all such lands as it owns, or may hereafter purchase, by laying out the same in lots, streets, squares, lanes, alleys, and other divisions, by levelling, raising, and grading the same, or making thereon all such tramways or street railways, and operate the same by steam or other motive; and they shall have power to lease, own and control rights of way for that purpose, or erecting all such wharves, workshops, factories, warehouses, stores, dwellings, and such other buildings and improvements as may be found or deemed necessary, ornamental or convenient, and constructing on the lands of the said company aqueducts and reservoirs for conveying, collecting, and providing pure and wholesome water; and renting, letting and leasing, mortgaging, selling or changing the same, or using any lot or other portion of any of the said lands for depots and for agricultural, mining or manufacturing purposes; and it may also purchase and build steamboats, steamers, and other vessels. And the said company is further empowered to build, construct, and operate any railroad or railroads over, to and from any property that it may own or control, not exceeding fifty miles in length, and to connect with any public road, body or bodies of water, river, stream, creek or railroad, and to cross the same; and shall have the right to build a bridge or bridges across any navigable streams: *Provided*, That said bridge or bridges are constructed with suitable draws; and said company shall have the right to take for its right of way fifty feet on each side of the centre of its road bed: *Provided*, The same be condemned by it according to ex-

Improvement of land.

Squares, streets, &c..

Rights of way.

Structures and erections.

Aqueducts and reservoirs.

Vessels.

Railroads.

Bridges.

- A. D. 1891. isting laws. And the said company is further empowered, by
 and with the consent of the council of any towns or cities
 Trucks in streets. through which it may pass, or at which its road may terminate,
 to construct its tracks through one or more of the public streets
 Extension to or ways of such towns or cities, and to extend the same to any
 landings. or all the wharves or landings in such towns or cities; *Provided*,
 Proviso. That in such construction and extension all necessary precaution
 in extending the work be taken not to obstruct or otherwise
 impair the use of any street or public way through which the
 said road may be constructed or extended. And the said com-
 Sale of pro- pany shall have the right at any time it may see fit in the con-
 perty. duct of its business, to sell, lease, or dispose of any part or
 parts of its property or rights. And said company shall also
 Wharfage. have the right to charge such wharfage as it may see fit upon
 any wharf or wharves erected, owned, or leased by it or upon
 any part thereof.
- SEC. 7. That said company shall be at liberty to subscribe for
 Stock in other and take stock in any company that now is, or hereafter may
 corporations. be, incorporated by the Legislature, or under the laws of this
 State; and any such company or incorporation may subscribe
 Other compan- for and take stock in the said company hereby incorporated, on
 ies may take such terms as the directors or managing officers may deem pro-
 stock. per; and said company is hereby empowered and authorized to
 Issue of bonds. issue bonds, secured by lien on the property of the said corpo-
 ration, to an amount not exceeding the value of the property
 owned by said corporation, with interest on said bonds, payable
 Proviso. semi-annually: *Provided*, That before any such bonds are issued,
 their issue shall be approved of and sanctioned by at least two-
 thirds in amount of the stock of the said company: *Provided*,
 Mortgage and further, That the said bonds shall be secured by a mortgage or
 deeds of trust. trust deed of all or any of its property, real and personal, exe-
 cuted by said company to a trustee or trustees; and that when-
 Release of lien. ever any portion of the property so mortgaged shall be sold by
 said company, such trustee or trustees shall have the power and
 authority, upon the payment to him or them of the net pro-
 ceeds of sale, to release the lien of the said mortgage or trust
 deed upon the property so sold: *Provided*, That the proceeds of
 Application of any and all such sales shall be applied by the said trustee or
 proceeds of sale. trustees to the payment or purchase of outstanding bonds of
 said company, in such manner and amounts, and at such times,
 as the mortgage or trust deed may provide.
- SEC. 8. That the principal office of the said company shall be
 located in Charleston County, but said company may, for its
 Offices.

own convenience, establish offices in any of the cities of the State.

A. D. 1891.

SEC. 9. That all the corporate powers, rights, and privileges hereby granted, shall cease and determine at the expiration of fifty years from the date of this Act.

Duration.

Approved December 24th, A. D. 1891.

AN ACT TO INCORPORATE THE ATLANTIC FIRE AND MARINE INSURANCE COMPANY. No. 825.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That George B. Edwards, J. Lamb Perry, and F. P. Upson, and such persons as are now, or hereafter may be, associated with them, their successors and assigns, be, and they are hereby, constituted and declared to be a body politic and corporate, by the name and style of the "Atlantic Fire and Marine Insurance Company," and by the same name, style, and title, shall have succession of officers and members, and all the powers, privileges, and franchises incident to a corporation, and shall be capable of taking, holding and disposing of their capital stock, according to such rules and regulations as they shall from time to time establish; and also of taking, holding or disposing of, or investing the increase, profits, or emoluments of their said capital stock; and shall have full power and authority to make, have, and use a common seal, and the same to alter and renew at their pleasure; and, by the name and title aforementioned, shall be able and capable, in law and equity, to sue and be sued, implead and be impleaded, answer and be answered unto, in all Courts; and they are hereby authorized and empowered to make rules, by-laws and ordinances for the good government and management of the affairs of the said corporation: *Provided, always,* That such rules, by-laws and ordinances shall not be repugnant to the Constitution and laws of the United States or of this State.

Incorporation.

Name and powers.

By-laws.

Proviso.

SEC. 2. That all the affairs, property, and concerns of the corporation shall be managed and conducted by nine directors, five

Directors.

Quorum.

- A. D 1891.** of whom shall constitute a quorum, and a majority of whom shall be residents of the State of South Carolina. The Board of Directors, chosen or elected as hereinafter provided, shall from among themselves elect a President and a Vice President and such other officers and agents as may be requisite for carrying on the business of the corporation, and allow them such compensation as they may deem proper, and they shall perform such duties and exercise such powers as may be prescribed by the by-laws or as shall be incident to their respective offices.
- President and other officers.**
- Real estate.** SEC. 3. That the said corporation shall have right and power to acquire, purchase, take, and hold in its corporate name, lands and real estate, and the same to demise, grant, sell, assign, exchange, and convey in fee simple, or otherwise: *Provided*, The clear yearly income of the real estate so to be held shall not at any time exceed one hundred thousand dollars.
- Limit.**
- Contracts of insurance and indemnity.** SEC. 4. That the said corporation is hereby authorized and empowered, by their said name and by the signature of their President, or by the signature of other person or persons, and with such ceremonies of authenticity as shall from time to time be prescribed by the by-laws, to make contracts and underwrite policies of insurance and indemnity against fire on buildings, goods, wares, merchandise, household furniture, machinery, shipping, and other property situate, lying, or being in this State or elsewhere; and also in like manner to make contracts and underwrite policies of insurance and indemnity upon marine risks of vessels, or of goods and merchandise, in whole or in part, foreign or domestic, whether lying in foreign ports or shipped upon the high seas, or in any ports of the United States, or within any of the rivers, bays, creeks, canals, or waters of this State, or elsewhere, also to lend or advance money upon bottomry or respondentia; and shall have power to reinsure whenever and to whatever extent it may be deemed expedient; to take the management, custody, and charge of real and personal property; and to invest such portion of the money on hand as may not be immediately wanted for the purposes of said corporation in bonds and mortgages of real estate and in bonds and stocks of the United States and of this State, and other securities.
- Marine and river risks.**
- Bottomry.**
- Reinsurance.**
- Investments.**
- Suits against members.** SEC. 5. That the said corporation shall be, and it is hereby, invested with full power to enforce upon its own members the due observance of all legal by-laws and regulations for their better government, under such penalties as shall in such by-laws be prescribed; and to that end, if need be, shall and may insti-

tute and maintain, in its corporate name, against any one or more of its members, either in law or in equity, all just and necessary suits, actions, and pleas for the recovery of all and any sum or sums of money to the use of the said corporation, in as ample a manner as such suits might be maintained against persons not members of the said corporation, any law, usage or custom to the contrary thereof in any wise notwithstanding.

A. D. 1891.

SEC. 6. The capital stock of said corporation shall be five hundred thousand dollars, to be divided into five thousand shares of one hundred dollars each: *Provided, however,* That as soon as five hundred shares are subscribed, the said corporation may organize and commence operations, said shares to be paid in by successive monthly instalments of one dollar on each share: *Provided, also,* That the Board of Directors shall have the power to increase the capital stock to any amount not exceeding two million dollars.

Capital stock.

Organization.

Increase of capital stock.

SEC. 7. The persons above named, or any two of them, may open books of subscription to the capital stock of said corporation at such time or times and at such places and for such periods as they may determine; and as soon as five hundred shares are subscribed thereto, the said persons, or any two of them, on such notice as they may deem sufficient, shall call a meeting of such subscribers, and at such meeting, and at all future meetings of the stockholders, the shares of the capital stock may be represented in person or by proxy. The subscribers, at their meeting to be held as aforesaid, shall elect from themselves nine directors, to hold office for such period as may be prescribed by the by-laws and until their successors are elected; and thereafter there shall be annual meetings of the stockholders at such time and places as may be prescribed in the by-laws of the corporation. Special meetings of the stockholders may be called at any time by the directors; such notice of these meetings shall be given as the directors may prescribe. Vacancies occurring in the Board of Directors may be filled for the unexpired term by the Board of Directors themselves.

Books of subscription.

Meetings of stockholders.

Directors.

Annual meetings.

Special meetings.

Vacancies.

SEC. 8. That the said corporation shall have, and is hereby vested with, all the powers, rights, and privileges, and is hereby subject to all liabilities and restrictions contained in Section 22 of an Act entitled "An Act to provide for the formation of certain corporations under general laws," approved December 23d, 1886, except so far as the said Section of said Act, or any part

Rights and limitations.

19 Stat., 540.

A. D. 1891.

thereof, is inconsistent with the provisions of this Act, or any part thereof.

Voting.

SEC. 9. Each stockholder shall have one vote for each share of the capital stock of the said corporation he may own or represent at all elections and all meetings of the company; and the Board of Directors are authorized to make such regulations as may be deemed necessary and proper for the representation by proxy of such stockholders as may be absent at such elections and meetings.

Proxies.

Shares of stock.

SEC. 10. The capital stock of the said corporation shall be deemed personal property, and the said corporation shall have authority in its by-laws, or by the Board of Directors, to make all such regulations as may be deemed necessary and proper for the issuing and transfer of such stock, or for collecting and enforcing, by sale or otherwise, all subscriptions made thereto.

Public Act.

Duration.

SEC. 11. That this Act shall be deemed a public Act, and shall continue and be of force for thirty years, and until the final adjournment of the General Assembly next thereafter.

Approved December 16th, A. D. 1891.

No. 826. AN ACT TO RENEW AND EXTEND THE CHARTER OF THE CAROLINA LIGHT INFANTRY OF CHARLESTON, S. C.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the Carolina Light Infantry of Charleston, S. C., be, and the same is hereby, extended for the space of thirty years, with all the rights and privileges to the said corporation given and conferred by the original Act incorporating the same, entitled "An Act to incorporate the Carolina Light Infantry of Charleston, S. C.," approved 9th March, 1872.

Charter

extended.

Rights.

15 Stat., 110.

Approved December 16th, A. D. 1891.

AN ACT TO FURTHER AMEND AN ACT ENTITLED "AN ACT TO
ENABLE THE CHARLESTON BRIDGE COMPANY TO CONSTRUCT
AND OPERATE A RAILROAD TO CONNECT WITH THE BRIDGE
OF SAID COMPANY WHICH CROSSES ASHLEY RIVER."

A. D. 1891.

No. 827.

Whereas, by an Act approved 23d December, 1887, entitled
"An Act to enable the Charleston Bridge Company to construct
and operate a railroad to connect with the bridge of said com-
pany which crosses Ashley River," and by an Act amending
the same, approved 23d December, 1889, entitled "An Act to
amend an Act entitled An Act to enable the Charleston Bridge
Company to construct and operate a railroad to connect with
the bridge of said company, which crosses Ashley River," the
Charleston Bridge Company was authorized and empowered
to construct, maintain and operate a railroad to be run by horse
power, electricity or steam power, either, or all, to extend from
a point at or near the east end of the bridge of said company
to the border of Colleton County: *Provided*, That the construc-
tion of said railroad should be commenced within two years
from the 23d December, 1889; *and whereas*, the said company
desires further time for the construction of said railroad. Now,
therefore,

Preamble.

19 Stat., 977.

Ante 479.

SECTION 1. *Be it enacted* by the Senate and House of Repre-
sentatives of the State of South Carolina, now met and sitting
in General Assembly, and by the authority of the same,
That the said Charleston Bridge Company is hereby authorized
and empowered to construct, operate and maintain the said
railroad: *Provided*, That the work of constructing the same
shall be commenced within two and be completed within five
from the date of the approval of this Act.

Time for con-
struction ex-
tended.

Approved December 22nd, A. D. 1891.

A. D. 1891.

No. 828.

AN ACT TO INCORPORATE THE CHARLESTON, MOUNT PLEASANT,
AND SULLIVAN'S ISLAND FERRY AND IMPROVEMENT COMPANY.

Incorporation.	SECTION 1. <i>Be it enacted</i> by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That B. F. McBale, W. H. Welch, Wm. E. Holmes, S. Arthur O'Neill, John Boyd, Wm. H. Jones, B. Buckley, J. E. Burke, F. Q. O'Neill, Chas. E. Bart, Wm. F. Barrigan, C. W. Seignous, together with such persons who are or may be associated with them, and their successors, be, and are hereby, declared a body politic and corporate, under the name and style of the Charleston, Mount Pleasant, and Sullivan's Island Ferry and Improvement Company, for the purpose of establishing and maintaining
Name and purposes.	a ferry, connecting Mount Pleasant and Sullivan's Island with the City of Charleston; also, for connecting the same by railroad with other railroads on Mount Pleasant and Sullivan's Island, now existing or hereafter to exist, and, also if desirable,
Ferry.	for maintaining a hotel on said island, and for the improvement of vacant lots thereon: <i>Provided, however,</i> That this charter, and the ferry privileges herein granted, shall continue in force only so long as, and no longer than, the said Charleston, Mount Pleasant, and Sullivan's Island Ferry and Improvement Company shall make not less than four trips by steamboat each day between the City of Charleston, S. C., and the Towns of Mt. Pleasant, Christ Church Parish, and of Moultrieville, Sullivan's Island, except when absolutely prevented by wind, weather or inevitable accident: <i>Provided, further,</i> That the said company shall in no wise be exempt from any general regulations affecting the ferries of this State: <i>And provided, further,</i> That the rates of passengers and freight, or either, shall not exceed at any time the rates charged by the Mount Pleasant and Sullivan's Island Ferry Company, and that the said company without charge shall convey court officers on official business, and prisoners with Constables in charge of them, to and from the Court House.
Hotel and lots.	
Condition of the charter.	
General regulations.	
Rates of carriage.	
Exemptions.	
Ferry.	SEC. 2. That the said corporation shall have power and authority and they are hereby authorized and empowered to build, construct, maintain and run a ferry to and from some convenient point in the vicinity of the western extremity of the said island from and to some convenient landing place in the City of Charleston, with full power and authority to have, build, erect and maintain a wharf or wharves on said island at
Wharves on Sullivan's Island.	

and upon the vacant lot at the extreme western end of the island bounded westwardly by the breakwater, northwardly by the channel, eastwardly by lot of the Mt. Pleasant and Sullivan's Island Ferry Company, and formerly of L. M. Beebe, and southwardly by the prolongation of north line of premises of — Antonio known as the Point House, extended to the breakwater, or, if necessary, any vacant lot in the vicinity, with the right to the use of said lot, and with the right of extending said wharf outwardly therefrom over the land contiguous thereto to water sufficiently deep for the purposes of a steam ferry company: *Provided*, The said privilege does not conflict with the rights any corporation or parties may now have thereto; and also to build, erect, maintain, and lease such wharf or wharves in the City of Charleston at such place and places as may be deemed practicable; and they are further empowered and authorized to conduct a general freighting and passenger business over and by means of said ferry, and to own, lease, and charter such steamers and vessels and other water craft as may be necessary or convenient for conducting the same. The work on said ferry shall be commenced within five years, and the said ferry shall be ready for the transportation of freight and passengers within five years from the passage of this Act.

A. D. 1891.

Proviso.

Wharves in Charleston.

Business.

Vessels.

Time for operating limited.

SEC. 3. That the said corporation is also authorized and empowered to construct, maintain and operate a railroad or railroads, broad, standard, or narrow gauge, operated by electricity, animal power, or otherwise, from the island terminus of their ferry and to and connecting with any railroad now built and in operation on Sullivan's Island and any other and others that may be hereafter built or operated on said Island and by, through and along any of the streets of Moultrieville or otherwise as the said corporation shall find most suitable or advantageous, with the right also to make any contracts and engagements respecting the use and employment of said road and roads now hereby authorized to be built or otherwise with the proprietors of any other such road and roads now existing or to be built as aforesaid as in their judgment may be of advantage in providing for safe, convenient and rapid transportation to and from their ferry and the other parts of Sullivan's Island.

Railroads on the Island.

Right to streets.

Existing roads.

SEC. 4. That the said corporation shall also at any time in its discretion have the right to erect and maintain and conduct or lease or otherwise dispose of to others a hotel on said Sullivan's Island and also shall have the right, from time to time, if and when, it shall deem proper, to purchase and improve or to

Hotel.

- A. D. 1891. build and erect dwelling houses and other improvements upon the lots it may acquire on said Island and for said purposes shall have the right to purchase the interests of others in any lot or lots on said Island not exceeding fifty in number; and also the right to have and to hold with the consent of the Town Council of Moultrieville any vacant lots on said Island, each lot not exceeding one-half acre in extent, and the said lots in all not exceeding two hundred in number: *Provided, however,* That the tenure of its interests in the lots shall be same and no greater than is now accorded by law to citizens of this State in lots on said Island.
- Dwelling houses and other improvements.
May purchase lots.
- Tenure of lots.
- By-laws. SEC. 5. That said corporation shall have power to make such by-laws for its government and direction as may be deemed necessary, to have and keep a common seal and the same to alter at will, and to elect a President and Directors for said company whose term of office shall be for one year, and until others are chosen in their place, and which shall constitute a Board for the management of said company. In voting, each stockholder shall be entitled to as many votes as he shall have shares, one vote for each share.
- Other powers.
President and Directors.
- Votes.
- Property rights. SEC. 6. That the said corporation shall be able and capable in law, to purchase, acquire, have, hold, take, receive, possess, retain and enjoy to itself in perpetuity, or for any term of years, any estate, real or personal, of whatsoever kind or nature, and to sell, mortgage, pledge, alien or dispose of the same as they may think proper; and by its said corporate name to sue and be sued, to plead and be impleaded, answer and be answered unto in any court of competent jurisdiction.
- Rights in court.
- Rights of way and of condemnation. SEC. 7. That for the purpose of acquiring such lands or rights of way in which private persons or corporations may be interested, as may be required for the location and construction of the said railroad, or for the erection or location of such depots, wharves, ferry slips and other necessary establishments, the said corporation shall [have] every right, privilege and power granted by Title XII., Chapter XL., of the General Statutes of this State.
- Capital stock. SEC. 8. The capital stock of said company shall be fifty thousand dollars, in shares of one hundred dollars each, with the privilege of increasing the said capital stock, by vote of the stockholders, to such amount that the whole capital shall not exceed three hundred thousand dollars, said capital to be paid in at such time or times as the said corporation shall determine.
- Limit.

SEC. 9. Each stockholder in the said company shall be jointly and severally liable to the creditors thereof in an amount beside the value of his share or shares therein not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditor was created: *Provided*, That such demand shall have been payable within one year: *Provided, also*, That proceedings to hold such stockholder liable therefor shall be commenced whilst he remains a stockholder therein, or within two years after he shall have ceased to be such stockholder: *Provided, further*, That no person holding a share or shares as executor, administrator, trustee, or in any other fiduciary capacity, shall be liable thereon beyond the value of the estate [held] by him as executor, administrator, trustee, or in any other fiduciary capacity.

A. D. 1801.

Liability of stockholders.

Provisoos.

Trustees.

SEC. 10. That any fraudulent misrepresentation by any officer or stockholder of said corporation as to the capital, property, and resources of such corporation, shall be deemed a misdemeanor, punishable by fine not exceeding five hundred (500) dollars or imprisonment for not longer than one year or both, at the discretion of the Court.

Fraudulent misrepresentation.

SEC. 11. That nothing contained in this Act shall be construed or misunderstood as impairing or annulling any of the rights, grants, and privileges conferred in an Act entitled "An Act to incorporate the Mt. Pleasant and Seaview City Railway Company," approved December 24th, 1885, together with all amendments thereof, or an Act entitled "An Act to incorporate the town of Seaview City, in the County of Charleston," approved December 20th, 1881, or to occupy with their railroad Main street and Central avenue through which surveys have been made and rights of way secured by the said Mt. Pleasant and Seaview City Railway Company: *Provided, however*, That this charter and the ferry privileges herein granted, shall continue in force only so long as, and no longer than, the said Charleston, Mount Pleasant, and Sullivan's Island Ferry Company shall make not less than four trips each way by steamboat each day between the City of Charleston, S. C., and the towns of Mt. Pleasant, Christ Church Parish, and of Moultrieville, Sullivan's Island, except when absolutely prevented by wind, weather, or inevitable accident, stopping at Mt. Pleasant both going to and returning from Sullivan's Island on all regular schedule trips: *Provided, further*, That the said company shall in no wise be exempt from any general regulations affecting the ferries of this State: *And provided, further*, That the rates of passengers

Limitations and exceptions.

19 Stat., 246.

17 Stat., 632.

Conditions.

Provisoos.

A. D. 1891. and freight, or either, shall not exceed at any time the rates charged by the Mt. Pleasant and Sullivan's Island Ferry Company, and that the said company shall carry without charge Court officers on official business and prisoners with the Constables in charge of them to and from the Court House.

Public Act. SEC. 12. This Act shall be deemed a public Act and shall take
When to take effect. effect immediately and shall continue of force for thirty years.

Approved December 24th, A. D. 1891.

No. 829. AN ACT TO CONFIRM AND AMEND THE CHARTER OF THE EXCHANGE BANKING AND TRUST COMPANY.

Preamble. *Whereas*, the Exchange Banking and Trust Company (the corporators of which were George B. Edwards, A. S. J. Perry, James Allen, William M. Bird and J. H. F. Koenig) was incorporated on the 9th day of April, A. D. 1891, in accordance with the general incorporation laws of this State, as will fully appear by reference to the said proceedings, as the same are on record in the office of the Secretary of State: *And whereas*, the said Exchange Banking and Trust Company, having organized thereunder, has been since then conducting its business in accordance therewith, but it is now desired to amend and enlarge the said charter, which can only be done by the General Assembly of the State.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the incorporation of the said Exchange Banking and Trust Company and all acts done thereunder be, and the same are hereby, ratified and confirmed.

Further confirmation. SEC. 2. That the Exchange Banking and Trust Company shall be, and is hereby, confirmed as a body corporate and politic under and by that name, with its principal place of business in the city of Charleston and State of South Carolina.

General banking powers. SEC. 3. That the said corporation is hereby authorized to carry on and transact a general banking, savings and trust, and other like business. And in the conduct of the same is hereby empowered to receive money on deposit, to allow interest

thereon, and to invest such deposits, their capital stock and other funds, in such securities as may be deemed by the management of said corporation safe and desirable, including bank or other stocks, bonds, notes, bills, choses in action and bonds and stock of this or any other State, or the United States; to lend money on real or personal security of all or any kind; to receive and pay out the lawful currency of the country, and deal in exchange, gold and silver coin, bullion, uncurrent paper, public and other securities, and stocks of other corporations; to buy and sell on commission stocks, bonds, real estate, manufactories, mines, timber and mineral lands, and all kinds of real and personal property; to negotiate loans on commission; to receive deposits of trust moneys, securities and other personal property from any person or corporation; to act as trustee under any mortgage, deed of trust or bond or other instrument in writing, issued by any municipality, or body politic or corporate, or individual, and to accept and execute any other municipal or corporate trust not inconsistent with the laws of this State, or of the United States; to act as the fiscal or transfer agent of any State or government municipality, body politic or corporate, or individual, and in such capacity to receive and disburse money, and to transfer, register and countersign certificates of stock, bonds or other evidences of indebtedness; to accept trusts from, and execute trusts for or on behalf of, married women, in respect to their separate property, whether real or personal, and to be their agent or trustee in the management of such property, or to transact any business in relation thereto; to act under the appointment of any Court of Record as guardian or trustee of the estate of any minor, or other person under any disability, and the depository of any moneys paid into Court, whether for the benefit of any such minor or any other person, corporation or party; to be appointed, and to accept the appointment of, executor or trustee under the last will and testament, or administrator with or without the will annexed, of the estate of any deceased person; and to be appointed and to act as the committee or trustee of the estate of lunatics, idiots, persons of unsound minds and habitual drunkards; to take, accept and execute any and all such legal trusts, duties and powers in regard to the holding, management and disposition of any estate or property, real or personal, and the rents and profits thereof, or the sale thereof, as may be granted or confided to it by any Court of Record in this or any other State, or by any person, corporation, municipality or other

A. D. 1891.

Investments.

Loans.

Exchange.

Brokerage.

Trust funds.

Act as trustee.

Fiscal agent.

Execute trusts.

Guardian
and trustee.Executor and
administrator.

Committee.

Trustee by ap-
pointment of
court.

<p>A. D. 1891. { Other trusts.</p>	<p>authority ; to take, accept and execute any and all such trusts and powers of whatever nature or description as may be conferred upon or intrusted or committed to said company by any person or persons, or any body politic, corporation or other authority, by grant, assignment, transfer, devise, bequest, or otherwise, or which may be intrusted or committed or transferred to or vested in said company by order of any Court of Record, and to receive and take and hold any property or estate, real or personal, which may be the subject of such trust ; and generally to do and perform all acts connected with its said business.</p>
<p>General powers.</p>	<p>Capital stock. SEC. 4. The amount of the capital stock is hereby fixed at one hundred thousand dollars, divided into one thousand shares of one hundred dollars each ; and the said corporation is authorized to receive subscriptions forthwith for the sum of fifty thousand dollars, being the difference between that amount and the present</p>
<p>New stock.</p>	<p>capital of fifty thousand dollars (\$50,000): <i>Provided</i>, That every person now a stockholder therein shall have the option of subscribing to such increase in proportion to the amount of stock which he may now hold under such regulation as the said corporation or its Board of Directors may prescribe. And the said corporation shall also have power and authority from time to time, as</p>
<p>Increase of capital stock.</p>	<p>often as the occasion requires, to increase its capital stock to an amount not exceeding one million dollars, by a vote of two-thirds in value of the stockholders at the time of such increase, had at a</p>
<p>Notice.</p>	<p>meeting called for the purpose, and by and in pursuance of a notice given for thirty days in some newspaper published in the County where the company has its principal place of business, giving the time, place, and purpose of the meeting of the stockholders.</p>
<p>Certificate of increase.</p>	<p>That when said capital stock is increased, a certified copy of the resolution increasing said capital stock shall be filed in the office of the Secretary of State. And the said corporation may, by its by-laws, provide for the manner of raising</p>
<p>Provisions affecting increase.</p>	<p>and distributing such additional capital stock, provided that upon any such increase every person then a stockholder in said corporation shall have the option of subscribing thereto in proportion to the amount of stock he may then hold, under such regulations as the said corporation may by its by-laws prescribe.</p>
<p>Succession and other rights.</p>	<p>SEC. 5. The said corporation shall have power to have perpetual succession, to sue and be sued by the corporate name ; to have a common seal, and to alter the same at pleasure ; to render the shares or interests of stockholders transferable, and to pre-</p>

scribe the mode of making such transfers; to make contracts and to acquire, transfer, and deal with property, both real and personal, possessing the same powers in such respects as individuals now enjoy; to establish by-laws and make all rules and regulations deemed expedient for the management of its affairs, not inconsistent with the Constitution and laws of this State or the United States, and generally any other powers common to such corporations, and consistent with the laws of the land.

A. D. 1891.

Contracts.

By-laws.

General powers.

SEC. 6. No person shall be a Director in the said corporation unless he be a *bona fide* stockholder therein.

Who may be director.

SEC. 7. The said corporation shall have full power to enforce upon its members the due observance of all rules and by-laws for the good government and management of the affairs of the said corporation; and to this end, if need be, shall and may institute and maintain, in its corporate name, against any one or more of its members, all necessary suits, actions, and pleas, for the recovery of any sum or sums of money to the use of the said corporation, in as ample a manner as such suits might be maintained against persons not members of said corporation.

Suits against members.

SEC. 8. The stockholders of said corporation shall be liable to the amount of their respective share or shares in the same for all its debts and liabilities upon note, bill or otherwise; and no Director or other officer of said corporation shall borrow any money from said corporation; if any Director or other officer shall be convicted, on indictment, of directly or indirectly violating this Section, he shall be punished by fine or imprisonment at the discretion of the Court.

Liability of stockholders.

Loans to officers forbidden.

SEC. 9. When any deposit is made by a person who is a married woman or minor, the said corporation may pay to such person the sum or sums so deposited on their check, order or receipt, and the same shall be lawful discharge therefor.

Deposits by married women and minors.

SEC. 10. This Act shall be deemed a public Act, and shall continue of force for fifty years, and until the final adjournment of the General Assembly meeting next thereafter.

Public Act.

Duration.

Approved December 22nd, A. D. 1891.

A. D. 1891.

No. 830.

AN ACT TO RATIFY THE CHARTER OF INCORPORATION OF THE
"FIDELITY BUILDING AND LOAN ASSOCIATION."

Charter ante
1014, ratified.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of incorporation of the "Fidelity Building and Loan Association," granted on May 16th, 1890, by the Secretary of State of South Carolina, be, and is hereby, ratified as follows :

Its force
and effect.

19 Stat., 540.

1. That said charter is made good and valid from its date and has the like force and effect as if it had been granted under an Act entitled "An Act to provide for the formation of certain corporations under general laws," approved December 23d, 1886, as successively amended through and including the amendment in an Act entitled "An Act to amend Section 5 of an Act entitled 'An Act to provide for the formation of certain corporations under general laws,'" approved December 23d, 1890.

Ante 653.

Acts, &c.,
ratified.

2. That every act, transaction, or undertaking heretofore executed, made, or done under, through, or by the authority or name of the "Fidelity Building and Loan Association," or any of its stockholders, be, and the same is hereby, ratified and declared legal, as if said association or stockholders had full legal capacity to do the same from the 16th day of May, 1890.

When to
take effect.

SEC. 2. That this Act shall take effect on its approval.

Approved December 22nd, A. D. 1891.

No. 831. AN ACT TO INCORPORATE THE GERMANIA MUTUAL FIRE INSURANCE COMPANY, OF CHARLESTON, SOUTH CAROLINA.

Incorporation.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Joseph Dothage, William Schneider, Adolph F. C. Cramer, C. Amme, N. C. Luden, C. D. Ahrens, K. C. Stello, E. B. Hollings, and Emil H. Jabnz and Henry Thees, together with such other persons, firms or corporations as may hereafter, from time to time, by becoming members in the manner hereinafter prescribed, be associated with them, be, and they are hereby, declared a body politic and corporate, under the name and style of

Name.

"The Germania Mutual Fire Insurance Company, of Charleston, South Carolina."

A. D. 1891.

SEC. 2. That every person, firm or corporation whose goods, wares, merchandise, buildings, and other property is insured by or with the said company from destruction or damage by or from fire or the effects thereof, or from lightning, shall by virtue thereof be a member of said company, and shall continue as such member thereof during the continuance of such insurance, and shall be bound by all legal actings and doings of said company.

The persons assured to be members.

SEC. 3. That as soon as one hundred persons, firms, or corporations shall subscribe their names to an agreement to insure their goods, wares, merchandise, buildings, or other property liable to destruction or damage by or from fire, or the effects thereof, or from lightning, aggregating in value not less than one hundred thousand dollars, by or with said company, the said company shall go into operation; but if at any time thereafter the number of members of said company be less than seventy-five, the said company shall cease and determine: *Provided, however,* That a greater amount than ten thousand dollars shall not be taken on any building and contents, or contents of any building, or on any one risk.

Organization.

Determination of charter.

Limit to risks.

SEC. 4. That the said company under its name shall have succession of officers and members, and all the powers, privileges, and franchises incident to a corporation; shall be capable of holding and disposing of their capital stock, together with the increase, profits, or emoluments thereof, according to such rules, regulations, and institutions as the said corporation may from time to time direct; shall have a common seal, and the same from time to time and at their pleasure to break, alter, and renew; and by its corporate name shall be able and capable at law or in equity to sue and be sued, implead and be impleaded, answer and be answered unto, in all or any of the Courts or tribunals of this State in any manner of suits, pleas, and demands whatsoever. And they are hereby authorized and empowered to appoint a Board of Directors from among themselves, of not less than nine nor more than fifteen members, to manage the affairs and business of the company at such periods, for such times, and with such duties as they shall see fit; and also to make such rules, by-laws and ordinances, and do everything needful for the good government and support of the affairs of the said company and for restoring their capital when dimin-

Succession and other rights.

Board of directors.

By-laws.

A. D. 1891.

ished by losses or otherwise, not repugnant to the Constitution and laws of the United States or of this State.

Officers.

SEC. 5. That the officers of the said company shall be a President, Vice President, Secretary and Treasurer, and such others as may be deemed necessary to carry on the business of said company. The President and Vice President shall be members of the Board of Directors. All officers and employees of said company to be elected by the Board of Directors and subject to their control.

Property rights.

SEC. 6. That the said company by its corporate name shall have the right and power to purchase, acquire, take, and hold lands and real estate, bonds, and stocks, and the same to devise, grant, sell, lease, assign, transfer, exchange, alien, and convey in fee simple or otherwise: *Provided, however,* That the clear yearly income of the real estate so to be held shall not at any time exceed ten thousand dollars.

Limit.

Contracts of insurance and indemnity.

SEC. 7. That the said company shall, by its corporate name, and by the signature of such person or persons, and with such ceremonies of authenticity as they shall from time and by their rules and by-laws ordain and appoint, have a right to make contracts and underwrite policies of insurance, and indemnify against destruction or damage by fire or lightning, on all goods, wares, merchandise, and other property liable to destruction, damage, or accident by or from fire or the effects thereof, or lightning, situate, lying, being, or deposited in this State or elsewhere, and by such contracts to bind and pledge their members according to such rules and regulations as may be established and prescribed; to lend money on the security of real and personal property, or either, or other good security, and generally to transact and perform all the business relating to the objects aforesaid, or which will advance and promote the interest of said company according to the usage and custom of merchants.

Loans.

General rights.

Assessments to pay losses.

SEC. 8. That in case any destruction, damage, or accident shall occur or happen by reason of fire or lightning, and the value thereof having been ascertained, it shall and may be lawful to and for the said Board of Directors, if they see fit so to do, to assess all the members according to the amount of their insurance, one month's notice to be publicly given by advertisement in a newspaper published in the City of Charleston, State of South Carolina, of the amount and time of payment of such assessment. Should any member fail to pay any assessment within the time limited, the said company may recover from

Notice to be given.

Proceedings in case of default.

said defaulting member the amount of his, her, or their assessment, with interest thereon from the date of such assessment being made, or to cancel the policy or policies of insurance held by such defaulting member, and return the premium paid in by defaulting member, less an amount equal to the assessment made, with interest thereon, and the amount of premium carried to the reserve fund of the company: *Provided, however,* That no member shall be liable for more than one-tenth of the amount of his insurance.

A. D. 1801.

Cancellation
of policies.

Limit to liability.

SEC. 9. That in all elections by the members of said company, each member shall be entitled to one vote, and to an additional vote for every five thousand dollars of insurance above the first five thousand dollars, and all elections to be by ballot.

Elections.

SEC. 10. That this Act shall be deemed a public Act, and be of force for the period of twenty-one years.

Public Act.

Duration.

Approved December 22nd, A. D. 1891.

AN ACT TO INCORPORATE THE "KAISER FIRE AND MARINE INSURANCE COMPANY."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Edward Plenge, B. Wohlers and Henry Buist, together with such persons who are or may be hereafter associated with them, be, and they are hereby, declared a body politic and corporate, under the name, style and title of the "Kaiser Fire and Marine Insurance Company."

Incorporation.

Name.

SEC. 2. That the capital stock of said company shall be two hundred thousand dollars, to be divided into two thousand shares of one hundred dollars each; and the said capital stock may be paid in monthly instalments proportioned as the said corporators may desire; and at any time that one thousand shares of the said capital stock shall have been actually subscribed, the said company may commence active business under this charter: *Provided, however,* That a majority of the stockholders of the said corporation shall have the power of increasing such capital stock to any amount not exceeding one million

Capital stock.

Payments.

Organization.

Increase of
capital stock.

A. D. 1891.

Decrease.

dollars, and of decreasing the same to the said sum of two hundred thousand dollars, whenever they see fit to do so; and the said corporation shall by its by-laws provide for the diminishing and raising and distributing such capital stock.

Succession and other rights.

SEC. 3. That the said company under its corporate name shall have succession of officers and members, and all the powers, privileges and franchises incident to a corporation, and shall be capable of taking, holding and disposing of their capital stock according to such rules and regulations as they shall from time to time establish; and also of taking, holding and disposing of or investing the increase, profits, or emoluments of their said capital stock; and shall have full power and authority to have and use a common seal, and the same to alter and renew at their pleasure; and by the name and title aforementioned to sue and be sued, to plead and be impleaded, in any court; and they are authorized and empowered to appoint a president, directors, and other necessary officers at such periods and with such duties as the said company shall see fit, and also to make rules and by-laws for the good government and management of the officers of the corporation: *Provided*, The said rules and by-laws be not repugnant to the laws of the land.

Officers.

By-laws.

Real estate.

SEC. 4. That the said corporation shall have right and power to acquire, purchase, take and hold, in its corporate name, lands and real estate, and the same to demise, grant, sell, assign, exchange and convey in fee simple or otherwise.

Contracts of insurance and indemnity.

SEC. 5. That the said company is hereby authorized and empowered to make contracts and underwrite policies of insurance and indemnity against fire on buildings, goods, wares, merchandise, shipping, and other property, lying, being, or deposited in this State or elsewhere, as well as in the city of Charleston; and also to make contracts and underwrite policies of assurance and indemnity upon marine risks, whether of vessels or of goods, merchandise, or chattels, in whole or in part, foreign or domestic, whether upon the high seas or in foreign ports, or in ports of the United States, or within any of the rivers, bays, creeks, canals, or waters of this or any other State or country; and also to lend or advance money upon bottomry or respondentia.

Marine and river risks.

Bottomry.

Accumulation to pay losses.

SEC. 6. That in case of any loss whereby less than one-third of the capital stock of the said company shall be lost during the continuance of this charter, no dividend shall thereafter be made until the deficiency shall be made up by the stockholders

of the company or by the accumulation of the profits of its business. A. D. 1891.

SEC. 7. That if the capital of the company be reduced by losses to less than two-thirds of the original capital stock, the deficiency shall be made up by the stockholders in six months after such reduction shall occur, and in default thereof the affairs of the corporation shall be wound up and they shall cease to do business. That if the affairs of the corporation are not wound up as directed in this Section, and they proceed with business, then the President and Directors shall be jointly and severally liable to make good all engagements of the company entered into after the reduction of the capital; but nothing in this Section shall extend to any President or Directors who shall dissent to the proceedings of the company in these particulars and who shall enter his protest in the minutes of the Board and publish the same in the daily gazettes of the city of Charleston.

Deficiency to be made up.
Or company wound up.
Otherwise President and Directors liable.
Exception of dissenting Director.

SEC. 8. That the said corporation shall be invested with full power to enforce upon their members the due observance of all rules and by-laws for the good government and management of the affairs of the company, under such penalties as in and by the said rules and by-laws shall be limited and appointed, and to this end, if need be, shall and may institute and maintain in their corporate name against any one or more of their members all necessary actions and pleas for the recovery of any sum or sums of money to the use of the said corporation, in as ample a manner as such actions might be maintained against persons not members of the corporation.

Duties of members.
Suits against members.

SEC. 9. Each stockholder in the said corporation shall have one vote for each share of the capital stock he may own or represent at all elections and meetings of the company; and the said corporation shall have authority to make in its by-laws such regulations as may be deemed proper for the representation by proxy of such stockholders as may be absent at such elections and meetings.

Votes.
Proxies.

SEC. 10. Each stockholder in the said corporation, in addition to the loss of the sum paid upon the stock subscribed for or held by him, shall be jointly and severally liable to the creditors thereof in an amount not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditor was made, together with the balance due upon said stock by the holder thereof in case such stockholder

Liability of stockholders.

A. D. 1891.

Proviso.

has paid in less than the par value of his stock : *Provided*, That such demand shall have been payable within one year, and that the proceedings to hold such stockholders liable therefor shall be commenced within two years after such debt may have become due, and whilst he remains a stockholder therein, or within two years after he shall have ceased to be such stockholder :

Trustees.

Provided, further, That no person holding a share or shares as executor, administrator, trustee, or in any other fiduciary capacity, shall be liable thereon beyond the value of the estate held by him as such executor, administrator or trustee, or in any other fiduciary capacity.

Personal property.

Certificates of stock.

SEC. 11. The capital stock of the said corporation shall be deemed personal property, and the said corporation shall have authority in its by-laws to make all such regulations as may be deemed necessary and proper for the issuing and transfer of such stock, or for collecting and enforcing by sale or otherwise, all subscriptions made thereto.

Fraudulent misrepresentation.

SEC. 12. That any fraudulent misrepresentation as to the capital, property or resources of the said company shall be deemed a misdemeanor.

Payments on stock.

SEC. 13. No note, bond or obligation given by any stockholder, whether secured by a pledge of the stock in such corporation or in any other manner, shall be considered as payment

Loans to stockholders forbidden.

Division of capital stock.

Dividends.

Liability of Directors.

of any part of the capital stock ; and no part of the capital stock shall at any time, or upon any pretence whatever, be loaned to the stockholders : neither shall the capital be withdrawn or divided among the stockholders until all the liabilities of the company are lawfully paid ; and no dividends shall be declared except from the net earnings of the company. The Directors consenting to such withdrawal or division of the capital before the debts are paid, or to dividends out of the capital stock, shall be liable personally for the debts of the company to an amount equal to the portion of capital which has been withdrawn or divided, or the dividend declared out of the capital stock.

Public Act. When to take effect.

SEC. 14. This Act shall be deemed and taken as a public Act, and shall take effect from the date of its passage.

Approved December 16th, A. D. 1891.

AN ACT TO AMEND THE CHARTER OF THE MIDDLE STREET,
SULLIVAN'S ISLAND, RAILWAY COMPANY.

A. D. 1891.

No. 833.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the Middle Street, Sullivan's Island, Railway Company, as granted in and by an Act entitled "An Act to incorporate the Middle Street, Sullivan's Island, Railway Company," approved March 9, A. D. 1875, and by subsequent Acts amendatory thereto, be, and the same is hereby, amended so that the said company shall have full power and authority to construct and extend its road from its present eastern terminus to the extreme eastern end of the said island, or so far in that direction as may from time to time be deemed prudent, by, through, and along Beach Avenue, or the continuation of the same, by whatsoever name such continuation may be known, and in case there be no such continuation, then along such route as may be most direct, without interfering with the vested rights of citizens along the same.

A. A. 1875, 15
Stat., 376, amended.Extension of
road authorized.

Approved December 24th, A. D. 1891.

AN ACT TO AMEND, EXTEND, AND RENEW AN ACT ENTITLED No. 834.

"AN ACT TO ESTABLISH A COMPANY UNDER THE NAME OF
THE MOUNT PLEASANT AND SULLIVAN'S ISLAND FERRY COM-
PANY." TOGETHER WITH ALL AMENDMENTS THEREOF.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to establish a company under the name of the Mount Pleasant and Sullivan's Island Ferry Company," approved January 24th, 1870, together with all amendments thereof, be, and the same is hereby, amended, extended, and renewed by continuing the same, together with all amendments thereof, in terms absolute for the period of thirty years from the passage of this Act. That every act, transaction, or undertaking heretofore executed, made, or done under, through, or by the authority or name of the Mount Pleasant and Sullivan's

Charter of 1870,
" 14 Stat., 323, ex-
tended for thirty
years.Acts, &c.,
ratified.

- A. D. 1891.** Island Ferry Company, or any of its officers or stockholders, be, and the same is hereby, ratified and declared legal as if said company or stockholders had full legal capacity to do the same:
- Conditions.** *Provided, however,* That the said Mount Pleasant and Sullivan's Island Ferry Company shall make not less than four trips each way each day between the City of Charleston and the towns of Mount Pleasant, Christ Church Parish, and of Moultrieville, Sullivan's Island, except when absolutely prevented by wind, weather, or inevitable accident, stopping at the town of Mount Pleasant both going to and returning from Sullivan's Island on
- Not exclusive.** all regularly scheduled trips: *And, provided, further,* That nothing in this Act contained shall be so construed as to prevent the Legislature of South Carolina from granting ferry franchises and privileges between the said City of Charleston and the said towns of Mount Pleasant, in Christ Church Parish, and Moultrieville, in Sullivan's Island, to such persons or corporations, and upon such terms, as they may deem proper.
- Hotel.** SEC. 2. That the said company is hereby authorized and empowered to purchase, own, or erect, at or in the town of Moultrieville, South Carolina, a site and an hotel, and for said purpose may issue stock or bonds at such par value as it may determine upon to an amount not exceeding fifty thousand dollars;
- Bonds.** and in case the said company should so see fit, it shall have the power to subscribe to the stock or bonds of any company that may so intend to or has erected an hotel in the town of Moultrieville, South Carolina, to the extent of fifty thousand dollars, and for such purpose may issue its stock or bonds as aforesaid.
- May subscribe to other companies.**
- Limitation of rights.** SEC. 3. That nothing contained in this Act shall be construed or understood as impairing or annulling any of the rights, grants, and privileges conferred in an Act entitled "An Act to incorporate the Mount Pleasant and Seaview City Railway Company," approved December 24th, 1885, together with all amendments thereof, or an Act entitled "An Act to incorporate the town of Seaview City, in the County of Charleston," approved December 20th, 1881, or to occupy with their railroad Main Street and Central Avenue, through which surveys have been made and right of way secured by the said Mount Pleasant and Seaview City Railway Company.
- 19 Stat., 246.**
- 17 Stat., 632.**
- Public Act.** SEC. 4. That this Act shall be deemed and taken to be a public Act, and shall continue in force for the term of thirty years from the date of its approval.
- Duration.**

Approved December 24th, A. D. 1891.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE 'NATIONAL LAND, IMPROVEMENT, AND MANUFACTURING COMPANY.'"

A. D. 1891.

No. 835.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the 'National Land, Improvement, and Manufacturing Company,'" approved December 24th, 1890, be, and the same is hereby, amended by adding the following proviso at the end of the second Section thereof, to wit:

A. A. 1890, ante 827, amended.

"*Provided, further,* That the Board of Directors shall have power in like manner and at such times as they shall see fit (by and with the consent of the majority of the stockholders, in ratio of shares), to issue common stock of the par value of one hundred dollars each, to any amount not exceeding two million dollars, which shall be paid for in current funds, labor, or property, real or personal, in such manner as the by-laws may provide for, and they are also empowered and privileged (by and with the consent of the majority of the stockholders, in ratio of shares) to issue preferred stock drawing interest at a rate not exceeding seven per cent. per annum, to the value of any property, real or personal, that the said company may purchase or hold, said stock to be preferred both as to principal and interest, but said preferred stock not to have the right to any voting power."

Common stock.

Preferred stock.

SEC. 2. That said Act be, and is hereby, further amended by striking out the word "five" on the fourth line of third Section thereof, and substituting the word "one" in lieu of the same.

As to liability of stockholders.

SEC. 3. That the fifth Section of said Act be, and the same is hereby, amended by inserting the words "or personal property" between the words "lands" and "herein" on the fourth line thereof.

As to payments for stock.

SEC. 4. That the sixth Section of said Act be, and the same is hereby, amended by adding the following words at the end thereof, to wit: "And the said company is further empowered to build and construct any railroad or railroads over, to and from any property that it may own or control, not exceeding fifty miles in length, and to connect with any public road, body or bodies of water, river, stream, creek or railroad, and to cross the same; and shall have the right to build a bridge or bridges across any navigable streams: *Provided,* Said bridge or bridges

Addition to sect. 6.

Railroads.

Bridges.

A. D. 1891.	are constructed with suitable draws; and said company have the right to take for its right of way one hundred feet on each side of the centre of its road bed: <i>Provided</i> , The same be condemned by it according to existing laws. And the said company
{ Use of streets.	is further empowered, by and with the consent of the council of any towns or cities through which it may pass or at which its road may terminate, to construct its track through one or more of the public streets or ways of such towns or cities, and to extend the same to any or all of the wharves or landings in
Proviso.	such towns or cities: <i>Provided</i> , That in such construction and extension all necessary precaution in extending the work be taken not to obstruct or otherwise impair the use of any street or public way through which the said road may be constructed
Disposition of property.	or extended. And said company shall have the right at any time it may see fit in the conduct of its business to sell, lease or dispose of any part or parts of its property or rights. And
Wharfage.	said company shall also have the right to charge such wharfage as it may see fit upon any wharf or wharves erected, owned, or leased by it, or upon any part thereof.
Addition to sect. 7.	SEC. 5. That the seventh Section of said Act be, and the same is hereby, amended by adding the following proviso at the end thereof, to wit: " <i>Provided, further</i> , That the said bonds shall
Bonds to be secured.	be secured by a mortgage or trust deed of all or any of its property, real and personal, executed by said company to a
Release of lien.	Trustee or Trustees; and that whenever any portion of the property so mortgaged shall be sold by said company, such Trustee or Trustees shall have the power and authority, upon the payment to him or them of the net proceeds of sale, to release the lien of the said mortgage or trust deed upon the
Application of proceeds.	property so sold: <i>Provided</i> , That the proceeds of any and all such sales shall be applied by the said Trustee or Trustees to the payment or purchase of outstanding bonds of said company in such manner and amounts and at such times as the mortgage or trust deed may provide."

Approved December 16th, A. D. 1891.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE PALMETTO DIME SAVINGS INSTITUTION OF CHARLESTON," APPROVED DECEMBER 26TH, 1885.

A. D. 1891.
No. 836.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the Palmetto Dime Savings Institution of Charleston," approved December 26th, 1885,

A. A. 1885, 19 Stat., 296, amended.

be, and the same is hereby, amended in the following particulars:

That Section 1 of the said Act be, and is hereby, amended by changing the name of the said The Palmetto Dime Savings Institution of Charleston to "The Dime Savings Bank."

Change of name.

That Section 8 of said Act be, and the same is hereby, stricken out, and the following inserted as Section 8 in lieu thereof:

Substitution of section.

SECTION 8. The stockholders of said corporation shall be liable to the amount of their respective share or shares in the same for all its debts and liabilities upon note, bill or otherwise; and no Director, or other officer of said corporation, shall borrow any money from said corporation; and if any Director, or other officer, shall be convicted on indictment of directly, or indirectly, violating this Section, he shall be punished by fine, or imprisonment, at the discretion of the Court

Liability of stockholders.

Loans to officers.

Penalty.

Approved December 16th, A. D. 1891.

AN ACT TO AMEND THE CHARTER OF THE PORTER ACADEMY. No. 837.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the body politic and corporate, known as "The Porter Academy," shall have the right to hold real and personal estate to any amount not exceeding \$500,000.

Property rights. See 19 Stat., 482.

SEC. 2. That the charter, rights, powers, privileges and franchises heretofore granted to the said "The Porter Academy," be, and the same are otherwise hereby, confirmed.

Validating clause.

Approved December 23rd, A. D. 1891.

A. D. 1891. **AN ACT TO INCORPORATE THE RETAIL GROCERS' ASSOCIATION,**
OF CHARLESTON.
 No. 838.

	SECTION 1. <i>Be it enacted</i> by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same.
Incorporation.	That W. H. Welch, Henry R. Lucas, F. Wehmann, Simon Forgarty, F. W. Cappelmann, Paul J. Helson, C. H. Schmonsees, Karl C. Stello, H. R. Bruns, J. F. Pieper, A. F. Witt, and their associates and successors be, and they are hereby, created a
Name.	body politic and corporate under the name and style of "The Retail Grocers' Association of Charleston."
Purposes.	SEC. 2. That the general purposes of said corporation shall be: To foster among business men friendly relations; a co-operation by its members for the benefit of all; to abate trade abuses; to disseminate useful information; to expose fraud and adulteration; to assist members in the collection of debts, and to protect them against fraud, imposition, and bad debtors.
Succession and other rights.	SEC. 3. That the said corporation hereby established shall have succession of officers and members according to its by-laws. and shall have power to make by-laws not repugnant to the laws of the land; and to have, use, and keep a common seal; and the same to alter at will; to sue and be sued in any court
Property rights.	in this State; and to have and enjoy every right, power, and privilege incident to such corporation, and it is hereby empowered to take, hold, and retain, possess and enjoy all such property, real, personal, and of any description, as may be given, bequeathed, or devised to it, or acquired by purchase or in any other manner by said corporation.
Investments.	SEC. 4. That the said corporation may from time to time invest its funds, money, assets, and all other property which it may acquire, in such real or personal property, stocks, public or private notes, bills, bonds with or without security, by mortgage of real or personal property or by surety, in such sums or on such terms and conditions as it may deem proper; and it shall
Transfer of property.	and may be lawful for said corporation from time to time and at all times to sell, convey, mortgage, assign, or transfer any or all of its property, real and personal and of every kind, as and
Bonds and mortgages.	when it may deem proper and expedient, and to make and execute bonds under the corporate seal with or without mortgage, for the purchase of real or personal property or for any other purpose.
Liability of stockholders.	SEC. 6. That the members of said corporation hereby incorpo-

rated shall be individually liable for the obligations or liabilities of said corporation, each to the extent of one year's arrears, and no more, which such member shall be required to pay to the said corporation in the year in which he may be sued for said corporation debt; but such liability shall not attach until the corporation shall have been sued and *nulla bona* returned on execution in such suit.

A. D. 1891.

SEC. 7. That this Act shall be taken and deemed a public Act, and may be given in evidence without being especially pleaded.

Public Act.

Approved December 24th, A. D. 1891.

AN ACT TO INCORPORATE THE SOUTH CAROLINA LAND COMPANY AND AUTHORIZE IT TO ERECT DOCKS, BRIDGES, WHARVES AND LANDINGS, AND ETC. No. 839.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by authority of the same, That Thomas Pinckney, of McClellansville, S. C.; John C. Mallonee and Henry E. Young, of Charleston, S. C.; S. S. Fraser, of Georgetown, S. C.; James G. Gibbes, of Columbia, S. C.; Thomas J. Jarvis, of North Carolina; W. W. Pender, of Virginia; A. S. Cadwallader and Carrol Forster, of Pennsylvania; W. H. Weimer and Isaac M. Thomas, of Wilkesbarre, Penn.; W. H. Winton, of Scranton, Penn.; R. Duncan Harris, of New York; E. B. Gaddis, of New Jersey, and Wm. A. Hazard, of New York, and all and every other person or persons hereafter becoming members of the South Carolina Land Company, their successors and assigns, be, and the same are hereby, declared a body politic and corporate, under the style and name of "The South Carolina Land Company," and by that title shall have perpetual succession, and be capable in law of purchasing, leasing, using, holding, letting, improving and disposing of such real and personal property as may be necessary for the objects of this incorporation, and may sue and be sued, plead and be impeached, answer and be answered unto, defend and be defended, in all courts of law and equity; and may receive and make all deeds, transfers, covenants, conveyances, grants, con-

Corporators.

Incorporation and name.

Corporate powers.

Contracts.

A. D. 1891.	tracts, agreements and bargains, whatsoever, necessary for the said purposes; and may have and use a common seal, which they shall have power to renew or alter at pleasure; to make
By-laws.	such by-laws for the government of said corporation as are consistent with this Act, and the laws and Constitution of this
General powers.	State and of the United States, and, generally, may do every act or thing necessary to carry into effect the provisions of this Act, and promote the objects and designs of said company as authorized by this Act.
Capital stock.	SEC. 2. The capital stock of said company shall be five hundred thousand dollars, with the privilege of increasing the same to five million dollars, to be divided into shares of one hundred dollars each, and shall be raised in the following manner: The following named persons are hereby appointed Commissioners to receive subscriptions to the capital stock, to wit: W. W. Pender, A. S. Cadwallader and Carroll Forster. The said
Books of subscription.	Commissioners, or any person or persons by them authorized, shall open books at such places and times as they shall appoint, and receive subscriptions to the capital stock either in current funds or by labor or property on such terms as the Board of
Members.	Directors may prescribe; and every person who shall become a holder, or entitled to one or more shares of said stock, shall thereupon become a member of "The South Carolina Land Company" hereby incorporated; and every person on being
Increase of capital stock.	divested of all shares of said stock by transfer, or otherwise, shall thereupon cease to be a member of said company: <i>Provided</i> , That the Board of Directors shall have power, in like manner and at such times as they shall see fit (by and with the consent of the majority of the stockholders) to increase the said capital stock of the company to the sum of five million dollars.
Liability of stockholders.	SEC. 3. That each stockholder in said corporation shall be jointly and severally liable to the creditors thereof in an amount besides the value of his share, or shares therein, not exceeding five per cent, of the par value of the share, or shares, held by such stockholders at the time the demand of the creditors was
Proviso.	created: <i>Provided</i> , That such demand shall be payable within one year, and that proceedings to hold such stockholders liable therefor shall be commenced within two years after the debt becomes due, and while he, she or it remains a stockholder therein, or within two years after he, she or it shall have ceased
Trustees.	to be a stockholder: <i>And provided, further</i> , That persons holding stock in said company, as trustees, or executors, administra-

tors, or by way of collateral security, shall not be personally subject to the liabilities of stockholders under the foregoing provisions; but the person pledging such stock shall be liable as stockholders, and the estates and funds in the hands of such executors or administrators shall be liable in their hands in like manner and to the same extent as the deceased testator or intestate, or the ward, or persons interested in said trust estate would have been if they had respectively been living and competent to act and hold the stock in their own name.

A. D. 1891.

SEC. 4. That when two hundred shares of said stock shall be subscribed, the members of said company shall proceed to elect, after having given ten days' notice in any newspaper of the County of Charleston, of the time and place of such election, five directors, who shall continue in office until the second Tuesday in January, 1893, and until others shall be chosen; and the members of said company shall annually thereafter, on the second Tuesday in January, elect from the stockholders to said company five directors, to serve for the term of twelve months, and until others shall be chosen; and the election of directors shall be conducted in accordance with the by-laws or regulations hereafter to be made by a majority of the stockholders, who may vote either in person or by proxy—and all elections shall be by ballot. Each share of stock on which all instalments due have been paid shall entitle the holder thereof to one vote, and the five persons who shall receive the highest number of votes cast shall be the directors, which said directors, during their term of office, shall have the sole management and direction of the stocks, property, affairs, and concerns of said company, and the number of directors may be increased or diminished as the by-laws or articles of association may direct.

Organisation.

Directors.

Votes.

SEC. 5. That the capital stock of the said company shall be deemed personal property, and transferable only on the books of the company in such manner as the by-laws or articles of association shall direct; and any of the owners of the lands, herein authorized to be purchased by the said company, may take stock to the amount of the whole, or any part of his, her, or their interest therein.

Capital stock,
personal property.

Transfers.

SEC. 6. That the said company be, and it is hereby, empowered to improve all such lands as it owns, or may hereafter purchase, by laying out the same into lots, streets, squares, lanes, alleys, and other divisions, by levelling, raising, and grading, and draining the same, or making thereon all such wharves, workshops, factories, warehouses, stores, dwellings, tramways,

Improvement
of lands.Erection of
structures.

A. D. 1891. Rights of way.	or railways, and to operate the same by steam or other motive power; and they shall have power to lease, own, and control rights of way for that purpose, and for erecting all such wharves, workshops, factories, warehouses, stores, dwellings, and such other buildings and improvements as may be found or deemed necessary,
Other structures.	ornamental or convenient; and constructing on the lands of the said company aqueducts, reservoirs for conveying, collecting, and providing pure and wholesome water, and erecting bridges over
Proviso.	navigable streams: <i>Provided</i> , It shall not impair the navigation of any such streams, or injure the property rights of others, and that all such bridges shall be provided with suitable draws, and
Wharves, &c.	it may also construct wharves, harbors, piers, and slips, and all other structures requisite or proper for commercial and shipping purposes on all such lands as it may own or acquire, and it
Ferry-rights.	may enjoy ferry-rights with the sanction of the General Assembly of this State on all lands owned by said company, suited for such purposes, and shall have the right to impose and collect tolls on any bridges which said company may construct, or acquire, and it may also purchase and build steamboats, steamers,
Vessels.	and other vessels: <i>Provided, further</i> , That said company shall
Mills.	have the right to construct and operate mills, and to do all things necessary and proper for the conduct of their said business;
Transportation.	said company shall also have the right to operate boats, barges, ferries, railroads, canals, and tramways.
Stocks and bonds.	SEC. 7. That said company shall have the right to purchase, sell, hold, and subscribe for stock or bonds, or either, or both, in any company duly and legally incorporated and the said company is hereby authorized and empowered to issue bonds, secured by a lien on its property, with interest on said bonds, payable semi-annually: <i>Provided</i> , That before such bonds are issued their issue shall be approved by a majority in amount of the stock of said company.
Bonds secured by lien.	
Offices.	SEC. 8. That the principal office of the said company shall be located in the city of Charleston, but said company may, for its own convenience, establish offices in any cities or towns in the State.
Duration.	SEC. 9. That all corporate powers, rights, and privileges hereby granted shall cease and determine at the expiration of fifty years from the date of this Act.
When to take effect.	SEC. 10. That this Act shall go into effect from the date of its passage.

Approved December 24th, A. D. 1891.

AN ACT TO AMEND THE CHARTER OF THE SOUTH CAROLINA LODGE NO. 1 OF THE INDEPENDENT ORDER OF ODD FELLOWS, ORIGINALLY INCORPORATED AS "THE INDEPENDENT ORDER OF ODD FELLOWS, SOUTH CAROLINA LODGE NO. 1 OF ANCIENT FREE MASONS IN THE CITY OF CHARLESTON."

A. D. 1891.
No. 840.

Whereas, by an Act passed on the seventeenth day of December, A. D. 1841, entitled "An Act to incorporate certain villages, societies and companies and to renew and amend certain charters heretofore granted, and to establish the principles on which charters of incorporation will hereafter be granted." "The Independent Order of Odd Fellows, South Carolina Lodge No. 1 of Ancient Free Masons in the City of Charleston," was incorporated on the terms and with the rights and privileges set forth in said Act. *And whereas*, by an Act passed on the seventeenth day of December, A. D. 1843, entitled "An Act to incorporate certain societies and companies, and to renew and amend certain charters heretofore granted," it was enacted that the name and style of "The Independent Order of Odd Fellows, South Carolina Lodge No. 1 of Ancient Free Masons in the City of Charleston," incorporated in 1841, be changed to the name and style of South Carolina Lodge No. 1 of the Independent Order of Odd Fellows. *And whereas*, by the said last mentioned Act, it was provided that the same should continue in force for the period of fourteen years. *And whereas*, the original Act of incorporation of the said corporation has not expired.

Preamble.

11 Stat., 168.

11 Stat., 267.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the said corporation be, and continue, a body politic and corporate by the name and style of "The South Carolina Lodge No. 1 of the Independent Order of Odd Fellows," and that the powers and privileges conferred upon the said corporation by the said Act passed on the seventeenth day of December, A. D. 1841, be in no other respect affected by this Act.

Renewal
of charter.
Name.

Powers and
privileges.

SEC. 2. That all corporate acts done by the said corporation under the name of the "South Carolina Lodge No. 1 of the Independent Order of Odd Fellows" be, and the same are hereby, confirmed.

Validation of
corporate acts.

Approved December 22nd, A. D. 1891.

A. D. 1891.

No. 841.

AN ACT TO INCORPORATE "THE TRUSTEES OF THE ENDOWMENT
FUND OF THE CHARLESTON LIBRARY SOCIETY."

Preamble.

Whereas, it is of public importance to enlarge and extend the usefulness of the corporation known as the Charleston Library Society, and to do this effectively requires considerable sums of money; *and whereas*, experience in other cities shows that the permanent endowment of libraries is constantly attracting the attention of thoughtful and public-spirited citizens, who, by "gift, grant, bequest, devise, or otherwise," are continually building up these beneficent institutions for the education and instruction of the people, upon whose intelligence republican government is based; *and whereas*, it is wise that any and all money, securities and property of whatever character received for such useful purposes should be carefully guarded, and protected, and secured, to be kept by proper legislation as a permanent trust endowment fund, permitting only the income to be used for the benefit of the said Charleston Library Society, and it is deemed that this can be best accomplished by the creation of a Board of Trustees empowered to receive and manage all such benefactions: Now, therefore, to carry the said purposes into effect;

Incorporation.

Name and
powers.

By-laws.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the President of the corporation known as the Charleston Library Society, the Mayor of the city of Charleston and three other persons, residents of the city of Charleston, to be elected by the Board of Trustees of the said Charleston Library Society, are hereby declared to be a body corporate by the name and style of "The Trustees of the Endowment Fund of the Charleston Library Society," and shall by its said name have perpetual succession of officers and members; the right to use and keep a common seal, and the same to alter at will; to sue and be sued, to plead and be impleaded; to have and enjoy all and every right, privilege, and power, and franchise, incident and belonging to incorporate bodies; they shall also have full power and authority from time to time to make, constitute and establish such by-laws, rules and regulations as to them shall seem proper for the conduct, government and direction of themselves as a Board of Trustees, for the management and investment of any property of whatsoever kind which may come unto them by gift, grant, bequest, devise or otherwise, and for

the management and administration of all trusts, confidences and authorities in them reposed, or to be reposed: *Provided*, A. D. 1801.
That the same be not inconsistent with the laws of the land nor the provisions of any such gift, grant, bequest or devise.

SEC. 2. That the said "The Trustees of the Endowment Fund of the Charleston Library Society" shall consist of five members, whereof the Mayor of the City of Charleston for the time being shall be always *ex officio* one, and the President of the Charleston Library Society for the time being shall be another; each of the five trustees shall be residents of the city of Charleston, and shall serve without compensation, and the three other than the two *ex officio* members shall be chosen to serve during good behavior; that upon the death, resignation, disability, or removal of any one or more of the said three trustees who shall be chosen, the vacancy or vacancies at any time so caused shall be filled by the remaining trustees.

Board of trustees.

To be residents of Charleston.

Vacancies.

SEC. 3. That the said "The Trustees of the Endowment Fund of the Charleston Library Society" are authorized and empowered to receive and hold donations, devises, bequests, and legacies given, granted, devised, or bequeathed to them for the use and benefit of the said Charleston Library Society; and to hold real and personal estate, at no one time exceeding the value of \$250,000, for the use and benefit of the said Charleston Library Society, that is to say, in trust to hold and manage the same, to invest and keep invested the corpus thereof in any such property as they may deem advantageous, but without power or authority to expend the corpus or any portion thereof for any purpose whatsoever; further in trust to pay over and apply the entire net annual income or product thereof to the Trustees of the said Charleston Library Society, to be used by them in the purchase of books, manuscripts, maps, drawings, charts, and for such other like useful purposes as in their judgment will be best, and in the preservation and perpetuation of the names of all benefactors by such means and devices as will manifest and preserve in the Library their beneficence, with power, upon the vote of four of the five trustees first always first had and obtained, at any and all times, and as often as may be deemed well, to sell all or any part of the corpus aforesaid, be it realty or personalty, and make good title to the same, the purchaser or purchasers not to look to any application of the purchase money, but the proceeds of any such sale or sales to be reinvested and held subject to all the trusts, powers and conditions,

Property rights.

Limit.
Trusts.

Use of annual income.

Sale of corpus.

Reinvestment of proceeds.

A. D. 1891. both as to the corpus and income, as are hereinbefore declared, limited and appointed.

Not to affect

A. A. 1754
Stat., 107.

SEC. 4. That nothing contained in this Act shall in any manner affect, alter, or amend the charter of "The Charleston Library Society" aforesaid, or any Act or Acts amendatory thereof now of force.

Public Act.
When to

take effect. SEC. 5. That this Act shall be deemed a public Act and shall take effect immediately after its passage.

Approved December 22nd, A. D. 1891.

NOTE.—For Act relating to commissions on sales allowed the Sheriffs of Charleston and Chester Counties, see ante-Act No. 8-3, p. 1250.

NO. 842. AN ACT TO PERMIT PERSONS IN CHESTER COUNTY LIABLE TO ROAD DUTY TO PAY A COMMUTATION TAX IN LIEU OF WORKING THE PUBLIC ROADS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons liable to perform road duty in the County of Chester, and who reside outside of the incorporated towns and villages of said County, are hereby authorized to pay to the County Treasurer a commutation tax of four dollars in lieu of the time which said persons are required by law to work the public roads annually in said County. *Provided*, That said commutation tax shall be paid between the first days of January and April in each year, to the County Treasurer.

SEC. 2. That whenever any person liable to road duty as aforesaid, shall pay to said Treasurer the commutation tax stated in the first Section of this Act, the said Treasurer shall furnish to said person a certificate showing that he has paid the said tax, which certificate shall exempt him from all road duty in said County for a period of twelve months, beginning on the first of January of the year in which said tax is paid and ending on the 31st December thereafter.

County Com'rs
to have lists.

SEC. 3. That immediately after the payment of the said tax it shall be the duty of the County Treasurer to furnish the County Commissioners of said County with all the names of all persons

who have paid said commutation tax, and the said County Commissioners shall furnish all overseers or contractors with the names of all such persons who shall not be liable to road duty for the year in which said payment may be made.

A. D. 1891.

And furnish list to overseers.

SEC. 4. That the tax so paid under the provisions of this Act shall be reported by the said County Treasurer to the County Commissioners at their first regular meeting following the 1st day of April of each year, and the said County Commissioners are hereby required to spend the tax in the repairs of the highways of the road district where the person paying the same resides.

Taxes paid to be reported.

Expenditure of tax.

SEC. 5. That all Acts or parts of Acts inconsistent with or repugnant to this Act be, and the same are hereby, repealed.

Repealing clause.

Approved December 23rd, A. D. 1891.

A JOINT RESOLUTION TO AUTHORIZE AND DIRECT THE COUNTY SCHOOL COMMISSIONER OF CHESTER COUNTY TO APPROVE AND THE COUNTY TREASURER TO PAY CERTAIN SCHOOL CLAIMS HEREIN NAMED. No. 843.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County School Commissioner of the County of Chester be, and he is hereby, authorized and directed to approve the teachers' pay certificates issued by the Trustees of Baton Rouge School District No. 5, as follows: One to Miss Mattie Osborne for twenty-five dollars, one to Miss May Osborne for twenty-five dollars, two to Miss Jennie M. Brawley for twenty dollars each, and two to Mattie Sanders for ten dollars each, and that the County Treasurer pay the same out of the school fund appropriated to that school district for the fiscal year commencing November 1st, 1891.

Pay certificates to be approved.

And paid.

Approved December 24th, A. D. 1891.

A. D. 1891.

No. 844.

AN ACT TO AMEND SECTION 1 OF AN ACT ENTITLED "AN ACT FOR THE ESTABLISHMENT OF A NEW SCHOOL DISTRICT IN CHESTER COUNTY TO BE KNOWN AS THE 'EDGEMOOR SCHOOL DISTRICT,' AND TO AUTHORIZE THE LEVY AND COLLECTION OF A LOCAL TAX THEREIN."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

A. A., 1890,
ante 838, amend-
ed.

Section 1 of an Act entitled "An Act for the establishment of a new school district in Chester County to be known as the Edgemoor School District, and to authorize the levy and collection of a local tax therein," be, and the same is hereby, amended so as to read as follows:

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the territory embraced in the following limit, to wit: Beginning at a point opposite the residence of Henry Lee, where the York and Chester line crosses the Landsford and Yorkville road, and running thence with said line to Fishing Creek, thence down said Fishing Creek to the property line of the Fishing Creek Manufacturing Company, thence with said line to the corner on lands of the estate of John Dickey, Sr., (just above the house now occupied by Thomas Orr,) thence with the line of the lands of the said Fishing Creek Manufacturing Company, and of the estate of John Dickey, Sr., to the point where the Lewisville and Landsford Township line touches Fishing Creek, thence along said Township line to the Landsford road, thence up the Landsford road to the site of the old Newland house, thence in a straight line to the beginning, be, and the same is hereby, created a special school district in said County to be known as the "Edgemoor School District," and shall be a body politic and corporate with such rights, privileges, and liabilities as are provided for school districts by the general school law of South Carolina.

Area of school
district.

Incorporation
and name.

Approved December 16th, A. D. 1891.

AN ACT TO AUTHORIZE AND EMPOWER "SCHOOL DISTRICT NO. 1, OF COURT HOUSE TOWNSHIP," IN CHESTER COUNTY, TO MAKE AND ISSUE SEVEN PER CENT. COUPON BONDS TO BE USED IN COMPLETING AND EQUIPPING THE PUBLIC SCHOOL BUILDINGS IN SAID DISTRICT.

A. D. 1891.
No. 845.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the body corporate in Chester County, known as School District No. 1 of Court House Township, is hereby authorized and empowered to make and issue seven per cent. coupon bonds to the amount of three thousand five hundred dollars for the purpose of completing and equipping the public school buildings in said district upon which proceeds of bonds authorized by Act of 1889 have already been expended.

Issue of bonds authorized.

SEC. 2. That the bonds hereby authorized shall be in denominations of five hundred dollars each, numbered from 1 to 7 consecutively, and be signed by the Chairman of the Board of Trustees of said district and countersigned by the Clerk thereof; and shall run for a period of twenty years and be redeemable at the option of the Board of Trustees after the expiration of fifteen years and shall constitute a lien upon the property improved by the proceeds of sale thereof, and the coupons thereof shall be receivable in payment of any taxes in said school district.

Description of bonds.

Lien.
Coupons receivable for taxes.

SEC. 3. That each and all the provisions of Section 4 and Section 5 of an Act entitled "An Act to enable and authorize School District No. 1 of Court House Township to issue bonds for the purpose of building a public school house and to provide additional trustees thereof," approved 23rd Dec., 1889, are hereby enacted and made applicable to the bonds hereby authorized except that a minimum bid of less than par may be received at the sale thereof, and the proceeds of sale shall be deposited in some safe Bank to be selected by the said Trustees.

A. A., 1889, 224 and 5, and 432, extended to these bonds.

Exception.

SEC. 4. That this Act shall go into effect upon its approval.

When to take effect.

Approved December 22nd, A. D. 1891.

A. D. 1891.

No. 846.

AN ACT TO ENABLE THE TOWN OF CHESTER TO ISSUE BONDS FOR THE REPAIR AND CONSTRUCTION OF STREETS AND FOR THE CONSTRUCTION OF SEWERAGE.

Coupon bonds authorized. **Purposes.** SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Town of Chester is hereby authorized and empowered to issue coupon bonds to the amount of twenty-five thousand dollars for the purpose of constructing and repairing the streets of said town and for the purpose of constructing a sewerage system for the same.

Election to determine their issue. **Order and notice of election.** **Conduct of election.** SEC. 2. That a majority of the qualified electors of the said town shall vote in favor of said indebtedness at an election held for that purpose, before such bonds can be issued. And the Town Council of said town are authorized to order such an election, and they shall give three weeks' notice thereof by publication in three successive issues of a newspaper published in said town, next before the day of election, in which notice they shall fix the time and place of the election. And the said council shall appoint the managers of election, prescribe the form of ballot, receive the returns and declare the result by publication in the succeeding issue of a newspaper published in the town.

Description of bonds. **Coupons receivable for taxes.** **Redemption of bonds.** SEC. 3. That the said bonds shall bear interest at the rate of seven per cent., payable yearly, and shall be of the denomination of five hundred dollars each; they shall be signed by the Intendant of the town and countersigned by the Clerk of Council; and they shall mature thirty years from their date; and the coupons thereof shall be receivable for town taxes. Any or all of the said bonds may be redeemable by the said town at any time after a lapse of twenty years from their date, at the option of the Town Council.

Sale of bonds. **Limit to price.** SEC. 4. That the said bonds or any part thereof, as the necessity of the case may require, shall be exposed for sale at public auction by the Town Council, after fifteen days' notice thereof in a newspaper published in the town, and shall be knocked down to the highest bidder; but no bid below par value shall be received.

Expenditure of proceeds. **Streets.** **Sewerage.** SEC. 5. That the proceeds of sale of said bonds shall be paid to the treasurer of the town, and shall be expended as follows, to wit: Four-fifths thereof shall be used to grade and otherwise construct, with or without the use of stone or other substance, the streets of the said town; and one-fifth thereof shall

be used to drain the said town with sewer pipes. And the said Town Council shall keep and render a separate account of the money so expended, and no part thereof shall be expended for other purposes. A. D. 1891.
Account to be rendered.

SEC. 6. That the interest on said bonds and the principal thereof shall be paid by a levy and collection of taxes on the assessed value of property in said town, or from other revenues of the town, as the Town Council may deem best. Payment of bonds and interest.

SEC. 7. That this Act shall go into effect immediately upon its approval. When to take effect.

Approved December 24th, A. D. 1891.

AN ACT TO INCORPORATE THE FARMERS' MUTUAL INSURANCE No. 847.
ASSOCIATION OF CHESTER, S. C.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. S. C. Carpenter, R. T. Mockbee, W. O. Guy, O. Barber, and all other persons who shall become members thereof, be and they are hereby constituted a body politic and corporate, under the name of the Farmers' Mutual Insurance Association of Chester, S. C., and under that name shall have all the powers, privileges, and franchises incident to such corporations under the laws of this State. Incorporation.
Name and powers.

SEC. 2. That said corporation shall have the right to mutually insure the respective dwelling houses, barns, and other buildings of its members in Chester County or elsewhere in this State, against loss by fire, wind or lightning, upon such terms and under such conditions as may be fixed by the by-laws of the said corporation. It may sue and be sued in any Court in this State, and may have and use a common seal. Mutual insurance.
Powers.

SEC. 3. That the said corporation may make by-laws fixing the number of its Board of Directors and other officers, and defining the powers and duties of the Directors and officers; also making rules and regulations governing the corporation, and the conduct of its business, not inconsistent with the laws of this State. Officers.
Regulation of business.

A. D. 1891.

Liability of
members for losses.

SEC. 4. That every member of said corporation be and is hereby bound and obliged to pay his, her, or their portion of all losses and expenses happening or accruing to said corporation, and all buildings or other property insured by and with said corporation, together with the right, title and interest of the assured to the lands on which such buildings or other property may stand, shall be pledged to the said corporation, and the said corporation shall have a lien thereon against the assured, his or her heirs, representatives and assigns, during the continuance of their insurance, as to all debts and liabilities contracted or incurred by said corporation subsequent to the passage of this Act.

Pledge of
property.

Liability of insured property.

SEC. 5. All property insured by said corporation shall be liable as herein provided until all outstanding losses shall have been paid, and until the owner thereof shall have withdrawn his insurance in the manner prescribed by the by-laws of said corporation: *Provided, however,* That any transfer of such property shall operate as a release of the same under the provisions of this Act as to all subsequent liabilities, unless the purchaser or purchasers thereof shall make application to the Board of Directors for a continuance of said insurance within ten days from the date of such transfer, in which event such purchaser or purchasers shall be substituted to all the rights of the vendor under this Act, and the said property shall be held liable as herein provided, and the provisions of this Section shall apply as well to personal representatives and guardians as to purchasers of such property.

Transfer of
property.

Limits to risks.

SEC. 6. That the aggregate amount of insurance by said corporation in any one County shall not be less than fifty thousand dollars, nor shall it exceed one million dollars.

Public Act.

When to
take effect.
Duration.

SEC. 7. That this Act shall be deemed a public Act, and shall go into effect immediately after its approval, and shall continue in force for a period of thirty years.

Approved December 18th, A. D. 1891.

AN ACT TO PROVIDE FOR THE BUILDING OF A NEW JAIL FOR
CHESTERFIELD COUNTY.

A. D. 1891.

No. 848.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Chesterfield are hereby authorized and required to have a new jail built for the County of Chesterfield, the total cost of which shall not exceed the sum of ten thousand dollars.

SEC. 2. The said Commissioners shall build the jail on the present lot, unless in their judgment they can secure a more eligible location, and should they find a lot more suitable for the erection of a jail, they are authorized to sell the present jail lot and building, or lot without the building (if the old building can be better utilized by them for the County), at private sale, and make a good and sufficient title in behalf of the County therefor, and to apply the proceeds of sale in the purchase of another lot for the County.

SEC. 3. The said Commissioners shall first have prepared by a competent architect suitable plans and specifications for a good modern jail and a detailed estimate of the cost of the different classes of work. They shall then advertise in a Chesterfield, Columbia, and Charleston paper for forty days for sealed bids to do the whole work, or to do certain different portions thereof. When the time has expired, they shall open all bids and award the contract, or different portions thereof, to the lowest responsible bidder: *Provided*, That the County Commissioners shall have power to refuse any or all bids made on said contract, if in their judgment they are exorbitant, or if they are not satisfied of the ability of the bidder to perform the contract: *Provided, further*, That the contract shall not be awarded to any bidder until he shall have filed a bond satisfactory to the Commissioners, conditioned on his completing the work awarded to him pursuant to the plans and specifications and within the prescribed time.

SEC. 4. That in order to raise the money necessary to pay for the building of said jail, the said Commissioners are hereby empowered to levy for three successive years, if so long a time be necessary, an annual tax not exceeding two (2) mills on the dollar on all taxable property of said County, to be collected by the Treasurer of said County at the same time and in the same manner that the ordinary State and County taxes of said County

A. D. 1891. First levy.	are collected during the respective years in which the tax may be levied by the terms of this Act: <i>Provided</i> , That the first levy made under this Act shall be made during the fiscal year commencing the first day of November, 1891: <i>And provided, further</i> , That the money arising from the tax herein provided for shall be used for the exclusive purpose of paying the cost of building said jail, and shall be paid out by the County Treasurer only upon warrants issued by the County Commissioners, or a majority of them.
How paid out.	
When to be built.	SEC. 5. That such jail shall be built as soon as practicable, either on the faith and credit of the taxes to be levied therefor, or after the first annual collection shall be made, in the discretion of the Commissioners, owing to the exigencies of the situation, and they may either sell the old jail as it stands, or have it removed and sell or utilize the material thereof for the benefit and use of the County, or of the new jail, at their discretion.
Old jail.	
When to take effect.	SEC. 6. That this Act shall take effect immediately after its ratification.

Approved December 22nd, A. D. 1891.

No. 849. AN ACT TO AUTHORIZE, EMPOWER AND REQUIRE THE TOWN COUNCIL OF CHERAW TO EFFECT A LOAN FOR THE PURCHASE OF THE CHERAW BRIDGE FOR THE USES OF THE TOWN.

SECTION 1. <i>Be it enacted</i> by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Town Council of Cheraw, in the County of Chesterfield, be, and they are hereby, authorized, empowered and required to issue bonds of the town of Cheraw, with interest coupons attached, in convenient denominations, in all in the sum of fifteen thousand dollars, running for the period of thirty years, bearing interest at the rate of six per centum per annum, payable semi-annually, on the first days of January and July, respectively, in each year, as the interest matures, to be used and negotiated by said Town Council for the purpose of raising funds for the purchase and repair of that certain bridge and its franchises and appurtenances known as the Cheraw bridge, across the Great	
Bonds authorized.	
Description.	
Purpose.	

Pee Dee River, for the use and control of the said town of Cheraw; that the right to issue said coupon bonds shall only exist after a majority vote of the said town, as provided for in Section 2 of this Act. A. D. 1891.
Election to determine issue.

SEC. 2. That an election shall be held, after such notice and in such manner as the Town Council of Cheraw shall prescribe, on the question of issuing said bonds, at which election no person shall be entitled to vote on said question unless he or she is the owner of property within the corporate limits of said town, and has returned and paid taxes on one hundred dollars' worth of property the year immediately previous to said voting, and on each one hundred dollars' worth of property so returned and paid for the person shall be entitled to one vote, and the voting may be in person or by written proxy; that the Town Council shall ascertain and declare the result. Election.
Electors.
Number of votes.
How voted.

SEC. 3. That for the payment of the interest, and the ultimate redemption of the principal, of any such bonds issued as hereinbefore provided for, the corporation of the town of Cheraw shall be at all times liable: *Provided*, That the property of the inhabitants of the said town shall be bound for the redemption and payment of said bonds and coupons in no other way than by the imposition of an annual tax to meet the interest, and to gradually pay the principal by the time of its maturity, and that the Town Council shall levy and collect taxes to promptly meet the interest, and also to gradually prepare for the prompt discharge of the principal of said bonds at maturity. Town liable for payment.
By annual tax on property.
Levy and collection.

SEC. 4. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed. Repealing clause.

SEC. 5. That this Act shall take effect immediately upon its ratification. When to take effect.

Approved December 18th, A. D. 1891.

A. D. 1891.
 No. 850.

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NEW SCHOOL DISTRICT IN CLARENDON COUNTY, AND TO AUTHORIZE THE ISSUE OF BONDS BY SAID SCHOOL DISTRICT AND THE LEVY OF A LOCAL THEREIN.

- School district to be established.** SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of maintaining public schools in said district the County Board of Examiners for Clarendon County be, and they are hereby, authorized and required to establish a separate school district, to embrace the townships of Midway and New Zion. The new school district so established shall be known as the Salem School District.
- Trustees.** SEC. 2. That three members, appointed by the County Board of Examiners, in accordance with the General School Law for the appointment of Trustees, and their successors, together with three additional Trustees to be elected by the meeting when assembled to decide upon the additional tax to be levied, shall constitute a Board of Trustees for the said school district, which Board of six Trustees shall elect their own Chairman, and a majority shall constitute a quorum. The three appointed members shall have power to act until the other three be elected. The elected members shall hold office until the next annual meeting.
- Quorum.**
- Term of office.**
- Incorporation.** SEC. 3. That the said school district shall be a body politic and corporate, with such government, rights, privileges, and liabilities as are provided for school districts by the School Law of South Carolina, approved March 22d, 1878, and its amendments, except as modified by this Act.
- 16 Stat., 571.**
- Powers of board.** SEC. 4. That the said Board of Trustees, in addition to the duties and powers prescribed by law for Trustees of school districts, shall have the power, and it shall be their duty, to determine the studies and class books to be used in the schools of said district; to elect and dismiss the teachers, to fix their salaries, to prescribe their duties, and to make rules for the government of the schools, and to take in charge and keep in order all buildings and other property belonging to, or used for carrying on, the schools of the district herein created.
- Books.**
- Teachers.**
- Government and property.**
- Officers of board.** SEC. 5. The said Board of Trustees shall elect from its members a Chairman, and also a Secretary and Treasurer; the Chairman shall call meetings of the Board whenever in his
- Meetings.**

judgment a meeting is needed, or whenever a majority of the Board shall unite in requesting him to do so. A. D. 1891.

SEC. 6. The said Trustees are hereby authorized and empowered to levy on all real and personal property returned for taxation in said school districts a local tax not exceeding three mills on the dollar in any one year to supplement the general tax for the support of schools by the persons and in the mode following, to wit: The Board of Trustees shall, on or before the 15th May, 1892, and on or before the same day in each succeeding year, call a meeting of the legal voters living in above named school district and returning real and personal property therein. Public notice of said meetings, specifying the time, place and object, shall be given at least ten (10) days before said meeting by posting the same in three conspicuous places in the said school district and publishing the same at least twice in one of the newspapers having the largest circulation in said school district. The persons answering the above designations, when thus assembled, shall appoint a Chairman, and also a Secretary, adjourn from time to time, and decide what additional tax, if any, shall be levied, not to exceed three mills on the dollar. No tax thus levied shall be repealed at a subsequent meeting within the same fiscal year. And said meeting shall also elect three Trustees to serve with the appointed Trustees, as hereinbefore stated, to serve for one year and until their successors are elected. The Chairman, within one week thereafter, shall notify the County Auditor of Clarendon County of the amount of the tax thus levied, and the County Auditor shall at once assess such tax on all real and personal property returned in said school district, and the County Treasurer of said County shall collect said tax with the other taxes for the same year, and said tax shall be liable to like process and penalties as are State and County taxes.

SEC. 7. The County Treasurer of the County of Clarendon shall hold all moneys arising from the school tax and poll tax to which said District may be entitled under the general provisions of law, or under the provisions of this Act, subject to the warrant of the Treasurer of the Board of Trustees of said District, and said moneys shall be protected by the official bond of said Treasurer of Clarendon County, and shall be paid out only on the warrant of said Treasurer of the Board of Trustees.

SEC. 8. That the said School District is hereby permitted and authorized to issue five thousand dollars of 6 per cent. bonds, or a less number if so much in their judgment be necessary, for

Local school tax.

Meeting of taxpayers.

Notice of meeting.

Powers of meeting.

Tax not to be repealed.

Election of trustees.

Notification, assessment, and collection of tax.

Disbursement of funds.

Liability of County Treasurer.

Issue of bonds authorized.

A. D. 1891.	the purpose of erecting and furnishing suitable school buildings
Purposes.	in said School District: <i>Provided</i> , That a majority of the quali-
To be deter-	fied voters of said School District shall be in favor of such issue,
mined by elec-	as expressed in an election held for that purpose.
tion.	
Election to be	SEC. 9. That the Trustees of said School District are hereby
ordered.	required, upon the written request of twenty freeholders within
Notice.	said School District, to order an election on the question of
Conduct of	issuing said bonds, and to give three weeks' notice by advertise-
election.	ment in one or more newspapers of such election, and they shall
Power to issue.	appoint the managers, receive the returns, and declare the result
Description of	of such election.
bonds.	SEC. 10. The said School District, in addition to the powers
Receivable for	hereinbefore provided for, shall have, and is hereby endowed
taxes and a lien.	with, the power of a corporation to issue the said bonds, and
Levy and col-	when issued they shall be signed by the Chairman of the Board
lection of annual	of Trustees for said School District, shall run for a period of
tax.	twenty years, their coupons shall be receivable for all taxes in
Disbursement.	said School District, and they shall constitute a first lien upon
Returns to spe-	all property which may be improved from their proceeds.
cify location of	SEC. 11. That for the purpose of paying the interest on said
property.	bonds and the principal when due, it shall be the duty of the
Amended	County Auditor of the County of Clarendon, or such other
returns.	officer as may be charged with the assessment of taxes, to com-
Tax to be en-	pute annually the amount necessary to be raised, and to levy
tered separately.	the same upon all the real and personal property in said School
	District, and the amount so levied shall be collected by the
	County Treasurer of the County of Clarendon, and held and
	used by them for the purpose of paying the said interest or
	principal, if any be due, and shall be used for no other purpose
	whatever.
	SEC. 12. It shall be the duty of each and every taxpayer whose
	property may be partly within and partly without said School
	District, when he makes his return for State and County taxes,
	to plainly and separately specify in such returns under oath the
	position or positions of such property, whether real or perso-
	nal, subject to taxation within said District; and in case such
	taxpayer shall have made his or her return before such School
	District is laid off, it shall be his or her duty to make another or
	amended return in accordance herewith; and it shall be the
	duty of the County Auditor to enter the tax belonging to said
	School District upon the tax duplicate in a separate column, so
	that the County Treasurer may conveniently keep the same
	separated from the other taxes.

SEC. 13. There shall be furnished in said schools instruction, free of charge, to all children residing within the bounds of said School District, in the course of study prescribed for the public schools of the State; and the Board of Trustees may furnish in said schools instruction to non-resident children, and in branches of study not embraced in said course of study, on such terms as they may determine.

A. D. 1891.

Free tuition.

No non-residents
and advance stu-
dies.

SEC. 14. That this Act shall take effect on the day of its approval, and that all Acts or parts of Acts inconsistent therewith are hereby repealed.

When to take
effect.
Repealing
clause.

Approved December 24th, A. D. 1891.

AN ACT TO INCORPORATE THE TOWN OF ALCOLU, IN CLARENDON COUNTY. No. 851.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States who now are or hereafter may be inhabitants of the town of Alcolu, in Clarendon County, in this State, shall be deemed, and are hereby declared to be, a body politic and corporate, and that said town shall be known by the name of Alcolu, and the limits and boundaries of said town shall be as follows: Beginning at a stake one hundred and ten feet on a line S. 33 W. from the crossing of the Manning and Sumter public road with the Central Railroad thence running on a line N. 50 W. nine hundred and fifty-seven yards, thence running on a line N. 33 W. sixty-six yards, thence running on a line N. 16 E. four hundred and eighty-nine yards, thence running on a line S. 44½ E. four hundred and fifty-seven yards, thence running on a line N. 29 E. one thousand and twelve yards, thence running on a line S. 65 E. two hundred and twenty yards, thence running on a line S. 9 E. six hundred and forty-nine yards, and thence running on a line S. 33 W. one thousand and eighty-nine yards to the starting point hereinbefore mentioned and designated.

Incorporation.
Name and limits.

SEC. 2. Said town of Alcolu shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations.

Rights and
limitations.

- A. D. 1891.
 19 Stat., 174. tations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, A. D. 1885, that are not inconsistent with this Act.
- Day of election. SEC. 3. That the election for Intendant and Wardens of said town shall be held on the first Tuesday in February in each year, until otherwise provided by law.
- Managers of first election. SEC. 4. That for the purpose of the first election for Intendant and Wardens of said town, Neil C. McDuffie, Robert S. Churchill and William I. Duncan be, and they are hereby, appointed managers to conduct said election, and the said managers shall give ten days' public notice of such election by posting same in three conspicuous places in said town or by publication in some newspaper published therein.
- Notice. SEC. 5. That the sale of spirituous, malt or intoxicating liquors be, and the same is hereby, prohibited within the corporate limits of said town.
- Sale of liquors prohibited. SEC. 6. This Act shall be a public Act, and shall continue in force thirty years from the date of its approval, and until the final adjournment of the General Assembly, next thereafter.
- Public Act. SEC. 7. This Act shall take effect immediately upon its approval.
- Duration. When to take effect.

Approved December 22nd, A. D. 1891.

No. 852. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO CREATE AND PROVIDE FOR A SINKING FUND TO MEET THE BONDED INDEBTEDNESS OF THE COUNTY OF COLLETON AND TO LIMIT AND DEFINE THE POWERS AND DUTIES OF THE COUNTY COMMISSIONERS AND COUNTY TREASURER OF SUCH COUNTY IN CONNECTION THEREWITH," APPROVED DECEMBER 24TH. A. D. 1890.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act to create and provide for a sinking fund to meet the bonded indebtedness of the County of Colleton and to limit and define the powers and duties of the County Commis-

A. A. 1890, § 2,
 ante 844, amended.

sioners and County Treasurer of such County in connection therewith, be, and said Section 2 of said Act is hereby, amended by striking out the word "two" on the 6th line of said Section, and by inserting in lieu thereof the word five to be carefully selected as to solvency and reliability by him. So that Section 2 as amended shall read as follows :

A. D. 1891.

SECTION 2. That for the purpose of creating a sinking fund to meet the indebtedness of the aforesaid County upon the bonds aforesaid, the Treasurer of the County of Colleton aforesaid is hereby authorized and required to deposit such sum or sums of money aforesaid, in the different saving banks, to be carefully selected as to solvency and reliability by him, throughout the State, in sums not exceeding five thousand dollars in any one bank. Such deposit to be to his credit as County Treasurer.

Section as amended.
Sinking fund.

Deposit in bank.

Approved December 24th, A. D. 1891.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND THE LAW IN RELATION TO THE LOCATION AND NAMES OF VOTING PRECINCTS IN THIS STATE," APPROVED DECEMBER 24, 1889, IN THE FIRST SECTION THEREOF IN THE PARAGRAPH REFERRING TO THE COUNTY OF SPARTANBURG AND COLLETON. No. 853.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to amend the law in relation to the location and names of voting precincts in this State," approved December 24, 1889, in the first Section thereof in the paragraph referring to the County of Spartanburg and Colleton, be amended so that the same, as amended, shall read as follows :

A. A. 1889,
an/e 340, amended.

In the County of Spartanburg there shall be voting precincts as follows : Spartanburg, Spartan Mills, Glendale, Pacolet, White Plains, Macedonia, Gaffney City, Grassy Pond, Ezell's, Arrowwood, New Prospect, Cherokee Springs, McElvy's, Camp-ton, Campobello, Holly Springs, Duncan's, Crawfordsville, Reidville, Cashville, Woodruff, Hobby's, Walnut Grove, Hebron, Cross Anchor, Glenn Springs, Becca, Johnson's, Wellford, Cow-

Voting pre-
cincts in Spar-
tanburg.

A. D. 1891.

pens, Inman, Cannon's, Camp Ground, Fingerville, Boiling Springs, Valley Falls, Fair Forrest, Landrum's, Switzer, Clifton No. 1, Clifton No. 2, Cavin's, Cedar Hill, James Allen's, Trough Shoals, Parris, Whitney, Golightly, Beaumont Factory, Pelham and Enoree.

Voting precincts in Colleton.

In the County of Colleton there shall be voting precincts as follows: Reevesville, George's, Murray's X Roads, Branch Hill, Summerville, Knightsville, Delaman X Roads, Adam's Run Depot, Jacksonboro, Green Pond, Maple Cane, Horse-pen, Walterboro, Hendersonville, Sanders X Roads, Rice Patch, Preacher's Mill, Carter's, Bell's X Roads, Smoak's X Roads, Doctor's Creek, Gloversville and Paleit's Store.

Approved December 11th, A. D. 1891.

No. 854. AN ACT TO PROVIDE THAT ALL THE PROVISIONS OF AN ACT ENTITLED "AN ACT TO REGULATE THE SALE OF DRESSED BEEF IN BEAUFORT COUNTY," APPROVED DECEMBER 24TH, A. D. 1890, SHALL APPLY TO THE COUNTY OF COLLETON, AND ALSO IN THE COUNTY OF GEORGETOWN.

A. A. 1890, ante 813, extended to Colleton and Georgetown.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all the provisions of an Act entitled "An Act to regulate the sale of dressed beef in Beaufort County," approved December 24th, A. D. 1890, shall apply and be of force in the County of Colleton, and also in the County of Georgetown.

Approved December 22nd, A. D. 1891.

AN ACT TO PROVIDE A NEW SCHOOL DISTRICT IN COLLETON COUNTY, TO BE KNOWN AS RIDGEVILLE SCHOOL DISTRICT, AND TO PROVIDE FOR THE COLLECTION OF A LOCAL TAX THEREIN.

A. D. 1891.
No. 855.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That that portion of Colleton County generally known as Ridgeville, and bounded on the north by Four Hole Swamp and County line between Colleton and Berkeley County, on the east by Cypress Swamp, crossing Beach Hill road at three-mile post, thence on to Carter's road at intersection of Captain's Creek ; thence west to where new road crosses Four Hole Swamp, be, and the same is hereby, created a special school district in said County, to be known as Ridgeville School District, which school district shall extend for one and one-half mile east, three miles south, two miles west, and three miles north.

Area of school district.

Created and named.

SEC. 2. That G. L. Muckenfuss, R. Owens, D. E. Throneer, A. H. Mood, and E. R. Riggs, and their successors, to be appointed under the provisions of this Act, be, and the same are hereby, constituted a Board of Trustees for said school district.

Board of trustees.

SEC. 3. That the said Board of Trustees shall have the following powers and duties: 1st. To discharge the duties of School Trustees, and to have all the powers, privileges, rights, and liabilities now possessed by and pertaining to School Trustees. 2d. To determine the studies and class-books to be used in the schools of said district. 3d. To elect and dismiss the teachers, to prescribe their duties and term of office, and to make rules for the government of the schools. 4th. To make an annual report of the schools in this district to the Superintendent of Education on or before the first day of October in each year, to be forwarded through the office of the School Commissioner of Colleton County. 5th. To take in charge and keep in order all buildings and other property belonging to or used for carrying on the schools for the district herein created.

Powers of board.

Books.

Teachers and government.

Annual report.

Property.

SEC. 4. That all vacancies that might occur from any cause whatever in the Board of Trustees shall be filled by appointment, to be made by the State Superintendent of Education, whenever the same shall be reported to him by the School Commissioner of Colleton County.

Vacancies.

SEC. 5. That the Board of Trustees shall elect from its members a Chairman and also a Secretary and Treasurer.

Officers.

- A. D. 1891.** **Sec. 6.** That the Chairman shall call meetings of the Board, whenever in his judgment it is necessary, or whenever two members of the Board shall, in writing, request him to do so.
- Meetings of board.** **Sec. 7.** That the School Commissioner of Colleton County shall have no jurisdiction over the schools and educational interests of the said Ridgeville School District.
- Jurisdiction.** **Sec. 8.** That said School District is also hereby authorized and empowered to levy on all real and personal property returned in said District a local tax not exceeding two (2) mills on the dollar in any one year, to supplement the general tax for the support of schools, by the persons and in the mode following, to wit: The said Board of Trustees, if they deem it expedient, shall, on or before the first day of March, 1892, and on or before the same day in each succeeding, call a meeting in said School District of all the owners of real and personal property living in above named School District and returning real or personal property therein of the value of one hundred dollars and over: *Provided*, That public notice of said meeting, specifying the time, place and object, shall be given at least ten (10) days before said meeting, by posting the same in three conspicuous places in the said School District, and by publishing the same at least twice in the newspaper having the largest circulation in said School District. The persons answering the above designations, when thus assembled, shall appoint a Chairman, and also a Secretary, adjourn from time to time, and decide what additional tax, if any, shall be levied. No tax thus levied shall be repealed at a subsequent meeting within the same fiscal year. The Chairman of said meeting shall, within one week thereafter, notify the Chairman of said Board of Trustees and the County Auditor of Colleton County, respectively, of the amount of the tax thus levied, and the County Auditor shall at once assess such tax on all real and personal property returned in said School District, and the County Treasurer shall collect said tax with the other taxes for the same year, and said tax shall be liable to like process and penalties as are State and County taxes.
- Special school tax.** **Sec. 9.** The County Treasurer of the County of Colleton shall hold all moneys arising from the constitutional school tax and poll tax to which said School District might be entitled under the general provisions of law, or under the provisions of this Act, subject to the warrant of the Board of Trustees of said School District.
- Meeting of taxpayers.** **Sec. 10.** All moneys received by the County Treasurer from the local tax herein shall be protected by the official bond of
- Notice.**
- Powers of meeting.**
- Additional tax.**
- Notification, assessment and collection of tax.**
- Disbursement of school funds.**
- Liability of county treasurer.**

said Treasurer, and shall be paid out only on the warrant of the said Board of Trustees of the said School District. A. D. 1891.

SEC. 11. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed. Payments.
Repealing clause.

Approved December 16th, A. D. 1891.

AN ACT TO EXEMPT CERTAIN PORTIONS OF COLLETON COUNTY FROM THE OPERATION OF CHAPTER XXVII., TITLE X., OF THE GENERAL STATUTES, RELATING TO THE STOCK LAW. No. 856.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all that section of Colleton County included within the following described limits and boundaries be, and the same is hereby, exempted from the operation of Chapter XXVII., Title X., of the General Statutes, relating to the General Stock Law: Beginning at the Edisto River at the mouth of Four Hole Swamp, thence up Four Hole Swamp to the Charleston, Sumter and Northern Railroad, thence in a direct line to Buckingham Ford on Indian Fields Swamp, thence to the Edisto River, thence down the Edisto River to the mouth of Four Hole Swamp: Exemption
from stock law.
Provided, That the persons living in the above described territory shall at their own expense erect and maintain a good and substantial fence from Four Hole Swamp to the South Carolina Railway. Area of ex-
empted section.
Fence to be
erected.

Approved December 22nd, A. D. 1891.

A. D. 1891. **AN ACT TO EXEMPT CERTAIN TERRITORY IN COLLETON COUNTY FROM THE OPERATION OF CHAPTER XXVII., TITLE X., OF THE GENERAL STATUTES, RELATING TO THE GENERAL STOCK LAW.**
 No. 857.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all that section of Colleton County included within the following described limits and boundaries be, and the same is hereby, exempted from the operation of Chapter XXVII., Title X., of the General Statutes relating to the General Stock Law: Beginning at Parker's Ferry, thence along the Parker's Ferry Road to Dellmar's Cross Roads, thence along the road leading to New Road Station on the Charleston and Savannah Railway to New Road Station, thence along the Charleston and Savannah Railway to the Edisto River, thence up the Edisto River to Parker's Ferry.

Exemption
from stock law.

Area of ex-
empted section.

When to take
effect.

SEC. 2. That this Act shall take effect immediately upon its approval.

Approved December 22nd, A. D. 1891.

No. 858. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT TO EXEMPT CERTAIN PORTIONS OF COLLETON COUNTY FROM THE OPERATIONS OF CHAPTER XXVII., TITLE X., OF THE GENERAL STATUTES, IN RELATION TO THE GENERAL STOCK LAW.'"

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section one of an Act entitled "An Act to amend an Act entitled 'An Act to exempt certain portions of Colleton County from the operations of Chapter XXVII., Title X., of the General Statutes, in relation to the General Stock Law,'" be, and the same is hereby, amended by striking out the words "a line located by the County Commissioners commencing two miles below," where the same occurs on the ninth and tenth lines;

A. A., 1887, §1,
19 Stat., 1002,
amended.

and by striking out the words "the same distance from," where the same occurs on the twelfth line, and inserting in lieu thereof the word "along." So that said Section when so amended shall read as follows:

A. D. 1891.

SECTION 1. That the following portions of Colleton County be exempted from the operations of Chapter XXVII., Title X., of the General Statutes, relating to the General Stock Law: All that portion of Colleton County bounded North by the Edisto River, South the Little Salkahatchie and Combahee Rivers, East by Charleston and Savannah Railway and West by the Barnwell line on the Edisto River, and running thence to the Little Salkahatchie River along the said Barnwell line.

Area of exempted section.

Approved December 22nd, A. D. 1891.

AN ACT TO EXEMPT CERTAIN PORTIONS OF COLLETON COUNTY No. 859.
FROM THE PROVISIONS OF CHAPTER XXVII. OF THE GENERAL
STATUTES, RELATING TO THE GENERAL STOCK LAW AND
FENCING STOCK.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, all that portion of the County of Colleton embraced in the boundaries hereinafter described shall be exempt from the provisions of Chapter XXVII.

Exemption from stock law.

of the General Statutes of this State, relating to the General Stock Law and Fencing Stock, viz.: All that portion of Broxton Township, in the County of Colleton, embraced within a line running from the south of Willow Swamp, on Little Salkahatchie, to the Cross Swamp Public Road; from thence to and across to the Salkahatchie River, at or near the residence of A. T. Varn, along the elbow of Cross Swamp Public Road: *Provided*, That the residents of the section named shall build and keep in good repair a fence along the line above described, such fence to be fully five feet high at every point if built of rails, also to be well staked and ridged, and sufficiently strong and close to protect the lands outside of said territory from the incursions of all the stock and animals named in the said General

Area of exempted section.

Fence to be maintained.

A. D. 1891. **Stock Law:** and this exemption shall not take place till said
 Conditions of **fence is completed, and shall cease as soon as there is a failure**
 exemption. **to keep said fence up at any point.**

Approved December 24th, A. D. 1891.

No. 860. AN ACT TO INCORPORATE THE TOWN OF REEVEVILLE, IN COLLETON COUNTY.

Incorporation. SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly; and by the authority of the same, That* all citizens of the United States who now are or hereafter may be inhabitants of the town of Reevesville shall be deemed, and are hereby declared to be, a body politic and corporate, and
Name and limits. that said town shall be known by the name of Reevesville; and the limits shall extend one-half mile in every direction from the depot of the South Carolina Railroad, so that the limits shall form a circle.

Rights and limitations. SEC. 2. Said town of Reevesville shall be vested with all the rights, powers, and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An
 19 Stat., 174. Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, A. D. 1885.

Public Act. SEC. 3. This Act shall be a public Act, and shall continue in
Duration. force for thirty years from the date of its passage and until the final adjournment of the General Assembly thereafter.

Sale of liquors prohibited. SEC. 4. No license for the sale of spirituous or malt liquors, wines, bitters, or other beverages of which spirituous liquors form an ingredient, shall be granted by the municipal authorities of the town of Reevesville, in the County of Colleton.

When to take effect. SEC. 5. This Act shall take effect immediately on its approval.

Approved December 22nd, A. D. 1891.

AN ACT TO AMEND THE CHARTER OF THE TOWN OF SUMMERVILLE, AND TO AUTHORIZE THE TOWN COUNCIL TO CONDEMN CERTAIN LANDS FOR PUBLIC PURPOSES.

A. D. 1891.

No. 861.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, whenever the Town Council of Summerville shall deem it expedient to obtain any lands in the town of Summerville for the purpose of a site for a public building, or for the purpose of promoting the health of the town, that they shall have the power and authority to purchase said lands needed for any of the said purposes, and the title in fee simple to said land shall be vested in said town from the date of the said deed of conveyance to said Town Council.

May purchase
land for public
buildings or for
health.

SEC. 2. That in case the owner or owners of said land so deemed by the said Town Council of Summerville requisite for the purposes aforesaid, or any of them, shall refuse to sell said land, or shall demand such price or prices therefor as the said Town Council shall deem unreasonable, that the said Town Council of Summerville are hereby authorized and empowered to proceed to condemn said lands in the manner provided by, and in, Sections 2, 3, 4, 5 and 6 of an Act of the General Assembly of this State entitled "An Act to provide a mode of procedure by which lands may be taken by cities and towns for streets, roads and highways for public use," approved December 24, A. D. 1884: *Provided, however,* That nothing herein contained shall be construed to prevent any person or persons owning or holding a lien on or interest in any of the lands so sought to be condemned from contesting the condemnation as not for any public purpose, nor for the promotion of the health of the town, by a proceeding for injunction or other appropriate remedy provided by law: *And, provided, further,* That no lands condemned or purchased under the authority hereby given shall ever be used for any other purpose than the purpose for which it was condemned or purchased, unless authorized by Act of the General Assembly.

Rights of
condemnation.

18 Stat., 781.

Contest over
condemnation.

Limit to
purposes.

SEC. 3. That in addition to the provisions contained in said Act, it shall be the duty of the Intendant of said town to also serve such person or persons as may have any liens upon said land, by virtue of mortgages, judgments or otherwise, with a similar notice as is provided by Section 3 of the aforesaid Act of the General Assembly of this State, to be served on the owner

Notice to in-
cumbrancers.

A. D. 1891.

Rights of in-
cumbrancers.

or owners of said land; and said person or persons holding such liens shall by appearing in said proceedings, and claiming the amount of the value of said land, and any special damage determined and fixed under the provisions of said Act to be paid to the owners of said land, be entitled to have said amount, or so much thereof as they may be entitled to, paid over to them according to the priority of their liens; and should any contro-

Payment to
clerk to abide re-
sult of contro-
versy.

versy between or among such persons, holding liens on said lands, as to who is entitled to the said amount of the value of said land, and special damage as fixed and determined under the provisions of this Act, that the said Town Council shall pay over said amount, so fixed and determined, to the Clerk of the Court of the County in which said land may be, upon the delivery of the deed for said land to them, either by the owner or owners of the same or by the Clerk of the Court aforesaid.

Town hall.

SEC. 4. That from and after the passage of this Act the said Town Council of Summerville shall have full power and authority to build a town hall, of such size and dimensions as they may deem advisable, in Main street, at or near the intersection thereof by First South street in said town.

A. A. 1888,
ante 151, re-
pealed.

SEC. 5. That an Act entitled "An Act to amend an Act entitled 'An Act to amend the charter of the town of Summerville,' approved December, A. D. 1885," approved December, A. D. 1888, be, and the same is hereby, repealed.

Approved December 22nd, A. D. 1891.

NO. 862. AN ACT TO RE-ESTABLISH THE FERRY KNOWN AS ASHEPOO FERRY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the ferry across Ashepoo River, known as "Ashepoo Ferry," be and the same is re-established and vested in Simon Scott, his heirs, executors, administrators and assigns, for the term of fifty (50) years.

Re-established
and vested.

Rates of toll.

SEC. 2. That the following rates of toll shall be charged, and no more: For every passenger, five (5) cents; for every head

of sheep, goats, hogs, and other small animals, five (5) cents; for every horse, mule and head of cattle, ten (10) cents; for every passenger with single horse, mule, ox, or other riding animal, twenty (20) cents; for every single horse buggy, cart or other vehicle, twenty-five (25) cents; for every two horse wagon or other vehicle, fifty (50) cents; for every three horse wagon or other vehicle, sixty-five (65) cents; and for every four horse wagon or other vehicle, seventy-five (75) cents.

A. D. 1891.

Approved December 22nd, A. D. 1891.

A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE No. 863.
TREASURER OF THE COUNTY OF COLLETON TO PAY CERTAIN
SCHOOL CLAIMS HEREIN NAMED OUT OF THE SCHOOL FUND
FOR FISCAL YEAR COMMENCING NOVEMBER 1ST, 1891.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Treasurer of the County of Colleton be, and he is hereby, authorized and required to pay out of the school funds apportioned to the several school districts of said County for the fiscal year commencing November 1st, 1891, the following school teachers' pay certificates now outstanding in said County, to wit: Maggie P. Brown, for eleven and 5-100 dollars; J. D. Garria, five and 25-100 dollars; J. A. Givens, eight and 35-100 dollars; Idella Larisey, twelve and 50-100 dollars; J. M. Strickland, twenty-one and 40-100 dollars; S. S. Butler, twenty-five dollars; S. S. Butler, twenty-five dollars; J. A. Verdier, twenty-five dollars; S. E. Small, twenty and 40-100 dollars; Mrs. E. C. Tobin, thirty dollars; A. B. McTeer, twenty four and 93-100 dollars; Lizzie Dodd, thirty dollars; E. W. Lockwood, twenty-five dollars; J. R. Stokes, seventy-five dollars. Said claims to be paid out of the school fund apportioned to the school district in which the school was taught and the certificate issued.

County Treasurer to pay certain school claims.

Out of what fund payable.

Approved December 23rd, A. D. 1891.

A. D. 1891.

No. 864.

A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS OF COLLETON COUNTY TO DRAW THEIR WARRANT FOR \$375.00 IN FAVOR OF W. B. GRUBER AND THE COUNTY TREASURER TO PAY THE SAME.

Preamble.

Whereas, by inadvertence and mistake, the County Commissioners of Colleton County did not audit the claims of W. B. Gruber, Clerk of said board, for the full amount due to him for his services as such clerk for the fiscal years 1882-83 and 1883-84, and that the amount now due to him by the County for such services is (\$375.00) three hundred and seventy-five dollars.

And whereas, the Board of County Commissioners, acknowledging the same to be just, refused to correct the said accounts on the ground of laches.

And whereas, on appeal, the Hon. T. B. Fraser, one of the Judges of the Circuit Court, found as matter of fact and law that the said claim was just, and the amount of money above stated actually due to the said W. B. Gruber by Colleton County, but that the Court of Common Pleas was powerless to correct such error on appeal, and that the said W. B. Gruber's remedy was by applying to the General Assembly for relief. Therefore.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the aforesaid claim of W. B. Gruber for \$375 be, and the same is hereby, declared to be a part of the *bona fide* past indebtedness of Colleton County, and that the County Commissioners of said County be, and they are hereby, authorized and required to draw their warrant on the County Treasurer of said County in favor of said W. B. Gruber for said sum, and the said Treasurer is hereby authorized and required to pay the same out of the past indebtedness fund of said County.

Claim recog-
nized as past in-
debtedness.

Warrant to be
drawn and paid.

Approved December 18th, A. D. 1891.

A JOINT RESOLUTION TO AUTHORIZE THE SINKING COMMISSION TO MAKE GOOD TO JAMES WHITE, OF COLLETON COUNTY, THE AMOUNT PAID BY HIM FOR THE PURCHASE OF LOT NO. 66, CONTAINING NINETY ACRES OF LAND, PURCHASED BY HIM FROM THE SAID COMMISSION, THE TITLE TO WHICH WAS DEFECTIVE, BY CONVEYING TO HIM IN SUBSTITUTION THEREOF OTHER LAND COMMISSION LANDS IN THE SAID COUNTY.

A. D. 1891.

No. 865.

Whereas, James White, of Colleton County, purchased from the Sinking Fund Commission of this State Lot No. 66, containing ninety acres of land, of what was known as the Heyward tract, in Colleton County, the same being Land Commission land, on the 18th of January, 1884, and paid for the same the sum of three hundred and thirty-seven and 50-100 dollars, and the title to said land proved defective, and possession of same was taken from him by a decree of the Court of Common Pleas for Colleton County, rendered on the day of October, 1889, now,

Preamble.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Sinking Commission be, and are hereby, authorized and directed to make good to James White, of Colleton County, the amount paid by him, to wit, the sum of three hundred and thirty-seven 50-100 (\$337.50) dollars for the purchase from the said Commissioners of Tract No. 66, containing ninety acres, of what was known as the Heyward tract, in Colleton County, on the 18th day of January, 1884, which land was taken from the possession of the said James White by a decree of the Court of Common Pleas for Colleton County, rendered on the day of October, 1889, by conveying to the said James White other Land Commission lands in the same County of equal acreage or of equal value in lieu of the said tract heretofore conveyed.

Sinking Fund
Commission to
convey other
lands.

Approved December 24th, A. D. 1891.

A. D. 1891. AN ACT TO INCORPORATE THE COLLETON MINING AND MANU-
 No. 866. FACTURING COMPANY.

- SECTION 1.** *Be it enacted*, by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
- Incorporation and purposes.** Wm. S. Bradley, B. H. Rutledge, H. E. Young and Charles C. Pinckney, Jr., and their associates and successors, be, and are hereby, made and created a body corporate and politic for the purpose of carrying on any kind of mining, manufacturing or chemical business, with a capital of four hundred thousand dollars, to be divided into four thousand shares of one hundred dollars each; three thousand shares of which shall be immediately issued, allotted and taken up, and the remaining one thousand shares at such time as the stockholders shall decide.
- Capital stock.**
- How paid for.** **SEC. 2.** The subscriptions to the capital stock of this company may be paid in money or in labor, or property at its money value, to be named in the list of subscription.
- Powers of the corporation.** **SEC. 3.** The company shall have all the powers usual and appropriate to similar corporations, and more especially shall have the following powers: To have perpetual succession. To sue and be sued by the corporate name. To have a common seal, and to alter the same at pleasure. To render the shares or interest of the stockholders transferable, and to prescribe the mode of making such transfers. To make contracts, borrow money, loan money, and acquire, transfer and mortgage property, both real and personal; possessing the same powers in such respects as individuals now enjoy. To establish by-laws and make all rules and regulations deemed expedient for the management of their affairs, not inconsistent with the Constitution and laws of this State or the United States.
- Contracts, mortgages, &c.**
- By-laws.**
- Increase of capital stock.** **SEC. 4.** The said company shall have power from time to time to increase their capital stock to any amount not exceeding five hundred thousand dollars, including their present capital stock, whenever a majority of the stockholders present at any general meeting, or the Board of Directors, by their authority, shall determine. And such additional stock shall be divided among the stockholders in proportion to their shares in the capital stock of the company at the time of such increase; but in case any stockholder should not desire to take his or her proportion of such increased stock, the same shall be allotted among the remaining stockholders; or books may be opened for the purpose of obtaining additional subscribers to such increased stock in
- How distributed.**
- Books of subscription.**

such manner as the company may deem expedient; and in no case shall the members who are unwilling to take their proportion in such increase of stock be assessed to contribute or to make up such increase; such additional stock shall be subject to all the same provisions, restrictions and conditions as are directed by the provisions of this Act; and any such additional subscribers shall thereby become members of this company, and subject in like manner, in proportion to their interests, to all the burthens, liabilities, responsibilities and conditions imposed upon the members of this company.

A. D. 1891.

Assessments.

Rights of additional stockholders.

SEC. 5. That if the proprietor of any share shall neglect to pay any instalment assessed thereon for the space of thirty days after the time appointed for the payment thereof, the Treasurer of the company, by the order of the Directors, may sell by public auction a sufficient number of shares standing in the name of such stockholders to pay all the instalments then due from him, with all necessary incidental charges. The Treasurer shall give notice of the time and place of sales, and of the sum due, by advertising the same three weeks successively before the sale in one of the Charleston newspapers, and a bill of sale of the share or shares so sold, made by the Treasurer, shall transfer said stock to the purchaser, who shall be entitled to a certificate thereof. No stock for any share shall be issued till the entire amount due upon the subscription therefor has been paid to the company, and the company shall have a lien upon the stock of each shareholder till such entire amount has been paid.

Defaulting stockholders.

Sale of shares.

Shares to be paid for before issued.

SEC. 6. That each stockholder in said corporation shall be jointly and severally liable to the creditors thereof in an amount besides the value of his share or shares therein, not exceeding five per cent. of the par value of the share or shares held by such stockholders at the time the demand of the creditor was created: *Provided*, That such demand shall be payable within one year, and that proceedings to hold such stockholders liable therefor shall be commenced within two years after the debt becomes due, and while he, she or it remains a stockholder therein, or within two years after he, she or it shall have ceased to be a stockholder: *And provided, further*, That persons holding stock in such company as trustees or executors, administrators, or by way of collateral security, shall not be personally subject to the liabilities of stockholders under the foregoing provisions, but the persons pledging such stock shall be liable as stockholders, and the estates and funds in the hands of such

Liability of stockholders.

Proviso.

Trustees.

A. D. 1891.

executors or administrators shall be liable in their hands in like manner and to the same extent as the deceased testator or intestate or the ward or person interested in said trust estate would have been if they had respectively been living and competent to act and hold the stock in their own names.

Officers.

SEC. 7. The said company shall have such number of officers and for such terms of office as shall be fixed by its by-law, and shall have the power, in addition to its other powers, to dig and mine for either marl rocks or minerals, to manufacture the same and such other material as it may buy, into chemicals and fertilizers, to carry on trade therewith, and to cultivate such lands as it may own.

Mining, manufacturing, &c.

Public Act.
Duration.

SEC. 8. This Act shall be deemed a public Act and continue of force for forty years.

Approved December 22nd, A. D. 1891.

No. 867. AN ACT TO INCORPORATE THE ST. PAUL CAMP MEETING ASSOCIATION OF THE A. M. E. CHURCH IN COLLETON COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Isaac A. Simmons, Ellis Mooror, C. Z. Dunning, David Smith, and Henry Gilbert, stewards of the St. Paul Camp Meeting Association of the A. M. E. Church in Colleton County, and their successors, be and they are hereby made and created a body politic and corporate, under the name and style of the St. Paul Camp Meeting Association of Colleton County, State of South Carolina.

Incorporation.

Name.

Sales near
Camp Ground.

SEC. 2. That the stewards aforesaid, and their successors in office, shall have power to license or prohibit the sale of goods, wares, and merchandise, of any kind whatsoever, by itinerant traders and salesmen within one mile of the Camp Ground, to appoint peace officers, who shall have power of policemen, and may arrest, during the continuance of the meeting, parties for disorderly conduct, and carry them before the nearest Trial Justice for trial.

SEC. 3. That it shall be unlawful for any itinerant trader or salesman to offer for sale any goods, wares, or merchandise within one mile of the Camp Ground during the continuance of the meeting, unless he shall have obtained a license from the said Board of Stewards. And any person violating the provisions of this Section, upon conviction before a Trial Justice, shall be fined in a sum of not exceeding twenty dollars, or be imprisoned not exceeding ten days.

A. D. 1891.

Sales without license during camp meeting.

Penalty.

SEC. 4 This Act shall be deemed a public Act, and continue in force until repealed.

Public Act.
Duration.

Approved December 24th, A. D. 1891.

NOTE.—For Act relating to territorial jurisdiction of Trial Justice at Ridgville, in Colleton County, see ante No. 812, p. 1260.

AN ACT TO PROVIDE FOR A REVISION OF THE REGISTRATION OF No. 868.
ELECTORS IN DARLINGTON COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Supervisor of Registration for Darlington County shall revise the registration books of the County of Darlington and rearrange the registration by assigning the electors to the appropriate voting precincts as now provided by law. For this purpose the said Supervisor shall call in all certificates heretofore issued and shall cancel the same and issue other certificates in accordance with the provisions of this Act, and no certificate heretofore issued shall be good and valid to entitle an elector to vote in any State or federal election. The said Supervisor shall also provide and open a new set of registration books for the said County and shall register therein all electors who shall surrender their former certificates and register all others who shall become entitled to registration. The said Supervisor shall also have power to issue certificates and to register all electors who shall make proof of the loss of their former certificates in the manner now provided by law; the said revision to be made and completed by the thirty-first day of May, 1892.

Revision of registration books.

Certificates to be called in.

New books.

Certificates in lieu of lost ones.

A. D. 1891.
 Compensation
 to supervisor.
 When and
 how paid.

SEC. 2. That said Supervisor shall receive in compensation for his services in making the revision and new registration provided for in this Act the sum of one hundred dollars, in addition to present salary, to be paid when the work is completed, and the same shall be paid by the State Treasurer on the warrant of the Comptroller General.

Approved December 24th, A. D. 1891.

No. 869. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ALTER AND AMEND THE CHARTER OF THE TOWN OF DARLINGTON," APPROVED DECEMBER 26, A. D. 1884.

A. A. 1884, 19
 Stat. 923, amend-
 ed.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to alter and amend the charter of the Town of Darlington," approved the 26th day of December, A. D. 1884, be, and the same is hereby, amended as follows: Strike out all of Section 2 of said Act and insert instead thereof, as Section 2 of said Act, the following:

Town limits.

That the corporate limits of the said town shall extend on the southeast to the distance of one and one-quarter miles from the Court House, down the Florence Road; thence in a straight line to a point where the Charleston, Sumter and Northern Railroad crosses what is known as the Timmons ville Road; thence on a line bordering the property of Geo. W. Brown to a point on Geo. W. Brown's lands as will give a straight line to a ditch dividing the lands now owned by C. B. Edwards and D. Lewis, on the Poor House Road; thence down said ditch in a straight line to Indian Branch; thence down Indian Branch and Swift Creek and with the meanderings of Swift Creek to the point where the Charleston, Sumter and Northern Railroad crosses Swift Creek; thence in a straight line to a point one and one-quarter miles from the Court House on the said Florence Road.

Section 12

amended.

SEC. 2. In Section 12 strike out the words "which compensation shall in no event exceed two hundred and fifty dollars," also, strike out the word "marshal," in said Section wherever it

occurs and insert in place thereof the word "policeman," also, strike out, on the seventh line in said Section, the words, "and to employ one or more marshals," and insert in lieu thereof the following: "And to elect one Chief of Police and as many assistants as may be necessary," so that said Section, as amended, shall read as follows:

A. D. 1891.

SECTION 12. That the Mayor and Aldermen shall meet as often as they may deem it necessary for the transaction of business. That they shall provide and keep a common seal, which shall be affixed to all their ordinances, by-laws, rules, regulations and licenses; and the said Mayor and Aldermen shall be empowered to elect a Clerk and Treasurer, whose compensation shall be fixed by the said Council, and to elect one Chief of Police and as many assistants as may be necessary, night watchmen, street-overseers, and such other necessary officers for said town, and to establish the compensation to be paid the said officers elected by them; also, to fix the compensation to be paid to the Mayor of said town, and to prescribe the duties of said officers, and to take bonds from said officers conditioned to secure the discharge of the duties pertaining to their respective offices: *Provided, however,* That all officers elected by the Mayor and Aldermen shall be subject to removal from office at their pleasure. The policemen, so elected, shall be sworn and take the oath of office prescribed by law for Constables.

Meetings of Council.

Powers.

Officers and employees.

Bonds.

Power of removal.

Oath.

SEC. 3. In Section 16 strike out, after the word town on the third line, the words "That is to say, not exceeding fifty cents on each one hundred dollars worth of," and insert instead thereof the words "on all," so that said Section, as amended, shall read as follows:

Section 16 amended.

SECTION 16. That the said Mayor and Aldermen shall have the power and authority to impose taxes each year for the use of said town on all real and personal property being in the limits of said town, except the property of churches, charitable associations and institutions of learning. The value of such real and personal property for the purpose of taxation shall be fixed and assessed as hereinafter provided.

Tax on property

Exceptions.

SEC. 4. Strike out all of Section 17 and insert instead thereof as Section 17 the following:

Section 17 amended.

SECTION 17. That the said Mayor and Aldermen shall during the month of January of each year appoint four freeholders who shall be citizens of said town, whose duties it shall be to act with the said Mayor and Board of Aldermen, or a majority

Board of Assessors.

<p>A. D. 1891.</p> <p>Their duties and powers.</p>	<p>of them, as a Board of Assessors or Equalization, and the duties and powers of said Board of Assessors or Equalization shall be the same as is now conferred by law upon Boards of Assessors Equalization for the County, and upon the said Mayor and Aldermen in regard to the assessment and valuation of real and</p>
<p>Returns by taxpayers.</p>	<p>personal property in said town. That on the second Monday in January of each year the office of the Clerk of said town shall be open to receive returns for both real and personal property. and shall continue open for said purpose for the period of thirty</p>
<p>Provisoes.</p>	<p>days: <i>Provided</i>, That in the case of real property, the Board of Assessors herein provided for may require but one return in two years: <i>And, provided, further</i>, That the said Board of Assessors shall have the power to extend the time for receiving said returns to such time as they may deem such extension ad-</p>
<p>Property to be listed.</p>	<p>visable. That every inhabitant of said town of full age and sound mind shall annually, within the time herein limited, list</p>
<p>Property in town.</p>	<p>for taxation the following property, namely: 1. All real estate and tangible personal property within the corporate limits of</p>
<p>Property tem- porarily absent.</p>	<p>said town owned or controlled by him or her. 2. All tangible personal property owned or controlled by him or her, or other resident of the town and under his or her control, which may be temporarily out of town and is intended to be brought into</p>
<p>Credits.</p>	<p>the town. 3. All the moneys, credits, investments in bonds, stocks, joint-stock companies, or otherwise, owned or controlled</p>
<p>Trustees.</p>	<p>by him or her either in or out of this State; all persons owning, controlling, or holding property of whatsoever kind, either in a fiduciary or an official capacity, shall return the same in such manner as is required by law for County taxes.</p>
<p>Section 18 amended.</p>	<p>SEC. 5. Strike out all of Section 18 and insert instead thereof as Section 18, the following:</p>
<p>Notice to tax- payers to make returns.</p>	<p>SECTION 18. That the Mayor and Aldermen of said town shall give such notice to all of the inhabitants of the same. as they may deem best, requiring every owner of property within the corporate limits of said town to make a fair and just return, on oath, of said property before the Clerk</p>
<p>Meeting of Assessors.</p>	<p>of said town, for taxation. And that after the time for making said returns has expired the Mayor or acting Mayor shall summon together the said Board of Assessors hereinbefore provided for to consider and pass upon the</p>
<p>Equalization.</p>	<p>same. That said Board shall have full power to raise or lower and equalize the said returns; to summon through the</p>
<p>Summons to defaulters.</p>	<p>Mayor or acting Mayor all persons or agents failing to make returns as required to appear before the said Board and to fairly</p>

account, under oath, for all their property, and in case of neglect or failure of such persons or agents to appear when summoned by said Mayor or acting Mayor and to account, under oath, or in such manner as may be required by said Board, then, and in such case, the said Mayor and Aldermen may impose a fine on such persons or agents of not less than twenty-five dollars and not exceeding one hundred dollars, and said Board shall assess the property of such persons, in their best judgment at its full value for taxation, and shall cause the Clerk of said town to add to such assessment a penalty of fifty per cent. That the said Board shall cause the property as passed upon or assessed by them to be scheduled and filed with the Clerk of the said town. That after such schedule has been so filed it shall be open for inspection for twenty days next after the filing thereof, and any person or persons whose property has been so assessed may within the said twenty days file with the said Clerk a protest against the valuation or assessment so fixed, and after the said twenty days has expired the Mayor or acting Mayor shall summon said Board together for the purpose of hearing and acting upon such protests. The said Board shall have full power to lower or raise their previous assessments or valuations. After hearing of protests and the decision of the said Board has been rendered therein, the action of said Board shall be final, and the tax duplicate shall then be made in accordance therewith. That a majority of the Board of Assessors shall constitute a quorum for the transaction of business, and any decision of said Board, to be binding and final, must be concurred in by a majority of the said Board present at the meeting. That said Board of Assessors hereinbefore provided for shall receive a compensation for their services excepting the Mayor, the sum of five dollars per annum to be paid out of the treasury of said town.

A. D. 1891.

Fines.

Assessment
by board.Scheduled
and filed.Open to
inspection.

Protests.

Powers of board.

Quorum.

Compensation.

SEC. 6. Strike out Section 19 and insert instead thereof, as Section 19 amended.

SECTION 19. That the said Mayor and Aldermen for the purpose of collecting taxes upon real and personal property within the corporate limits of said town, now due or hereafter to become due, also to collect such fines as they may have imposed, when the said taxes and fines have not been paid by the persons against whom the taxes have been assessed or against whom the said fines may have been passed, shall have the power and authority to issue an execution against the property, both real and personal, of the persons who have failed to pay his or her taxes, or who has failed to pay the fines imposed, directed to

Execution to
enforce collec-
tions.

A. D. 1891. Levies on property.	the Chief of Police, or other persons elected or appointed by the said Mayor and Aldermen, requiring him to levy upon, for the purpose of sale, the property both real or personal, or both, as the case may be, of the person in said execution, to pay the amount fixed in said execution to be due, together with a
Penalty and costs.	penalty of twenty per cent. on all unpaid taxes, and one dollar as cost of the execution, and that the said execution herein
Form of exe- cution.	provided for shall conform as nearly as may be to that now issued out of the Courts of Common Pleas in this State against property, and such execution shall be signed by the Mayor or acting Mayor of said town and attested by the common seal of
Sales of property.	said town; and after levy has been made under said execution, the Clerk of the said town shall make sales of all such property, both real and personal so levied upon under the said execution,
Advertisement.	after advertising a notice of the said sales, describing the property therein in a newspaper published in said town, for twenty-one days next preceeding such sale, and after the said Clerk shall
Disposition of proceeds.	have sold the property, he shall forthwith turn over from the proceeds of such sale or sales, an amount equal to the taxes or fines specified as due in the execution, to the Mayor and Aldermen, upon their receipt therefor; and the purchaser at the said
Rights of purchaser.	sale shall receive a deed in the case of land, and a bill of sale in the case of personalty, from the said Clerk, and the same shall in law operate to convey the absolute estate of the delinquent taxpayer, or the person upon whom the fine may have been imposed, and payment neglected or refused. That the
Costs of sale.	said Clerk shall add fifty cents for the cost of collection, besides two and one-half per cent. commissions on the amount of taxes to be paid by the delinquent taxpayer, fifty cents for each levy and fifty cents for each sale of property, besides the usual cost of auctioneer, advertising, papers, etc., which shall be retained from the proceeds of such sales.
Section 23 amended.	SEC. 7. In Section 23 strike out the words "shall not exceed one dollar," and insert in place thereof the words "shall not exceed the sum of fifty dollars," so that the said Section, as amended, shall read as follows :
Tax on dogs.	SECTION 23. That the said Mayor and Aldermen shall be authorized and empowered, in their discretion, to lay a tax upon all dogs within the corporate limits of said town, provided said tax shall not exceed the sum of fifty dollars upon each dog; to
Vehicles.	lay a tax upon pleasure carriages, omnibuses, barouches, drays, carts, and wagons used for hire or public employment within
Limit.	the said corporate limits: <i>Provided</i> , That in any one year no

tax on any carriage, barouche, omnibus, dray, cart, or wagon used for hire or public employment shall exceed ten dollars; and to lay a license tax on all shows, circuses, and other itinerant exhibitions.

A. D. 1891.

Shows.

SEC. 8. In Section 24 strike out the words "or the Sheriff of Darlington County," and also the words "or Sheriff of said County;" and also strike out the words "marshals" and "marshal," and insert in place of said last named words "policemen" and "policeman;" also strike out the word "their" on the last line of said Section, and insert in place thereof the word "other," so that said Section, as amended, will read as follows:

Section 24
amended.

SECTION 24. That the said Mayor and Aldermen, or any of them, shall be empowered to require the presence of any person as a witness while such person may be within the limits of Darlington: *Provided*, They jointly or severally cause a written or printed notice of the time and place when said witness shall attend, such written or printed notice to be signed by the Clerk of said town, and issued under the common seal of said town; and the said Mayor and Aldermen shall either jointly or severally cause a written or printed notice to be served upon any person who is to be brought before them, or any of them, for trial for any violation of any ordinance of the town, stating offence, time, and place of trial, and said notice shall be served by either one of the policemen of the said town, and shall be signed by the Clerk and issued under the seal of the said town: *Provided, however*, That this shall not prevent the arrest of any person who is committing a breach of the peace, or an offence against public decency, without such written or printed notice: *And provided, further*, That if the person on whom said notice is served does not appear at the time and place therein stated, a warrant may be issued by the Clerk of the corporation, under seal, and a policeman shall have the power and authority to arrest such person wherever found in the same manner as other warrants of arrest are executed.

Witnesses.

Summons to
witnesses.

Summons to
accused persons.

Arrest on sight.

Warrant of
arrest.

Approved December 22nd, A. D. 1891.

A. D. 1891. **AN ACT TO INCORPORATE THE TOWN OF HARTSVILLE, IN DARLINGTON COUNTY.**
 No. 870.

- SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
- Incorporation.** from and after the passage of this Act, all citizens of the United States and of the State, who have resided one year in this State and sixty days in the town of Hartsville, in Darlington County, shall be deemed, and are hereby declared, a body corporate and
- Name and limits.** politic. The said town shall be known and called by the name of Hartsville, and its corporate limits shall extend three-fourths of a mile in every direction from the present station of the Hartsville Railroad.
- Rights and limitations.** **SEC. 2.** That said town of Hartsville shall be vested with all the rights, powers, and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled
- 10 Stat., 174.** "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, A. D. 1885, except as hereinafter provided.
- Limit to tax levy.** **SEC. 3.** That the annual tax levied by the Town Council of the said town of Hartsville upon the real and personal property in said town shall not exceed seventy-five cents on the hundred dollars.
- Sale of liquors prohibited.** **SEC. 4.** That no license for the sale of spirituous or malt liquors, beer, wines, cider, bitters, or other beverages of which spirituous liquors form an ingredient shall be granted by the municipal authorities of the said town of Hartsville; and the sale of spirituous or malt liquors, wines, cider, bitters, or intoxicating liquors of any kind, or other beverages of which spirituous liquors form an ingredient, within the corporate limits of
- Ordinances.** the said town, is hereby prohibited. And the Town Council of the said town of Hartsville is hereby authorized to pass all necessary ordinances to enforce the provisions of this Section.
- Public Act.** **SEC. 5.** That this Act shall be a public Act, and shall continue
- Duration.** in force for thirty years from the date of its approval, and until the final adjournment of the General Assembly next thereafter.

Approved December 11th, A. D. 1891.

AN ACT TO AMEND SECTION 1 OF AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF LAMAR, IN DARLINGTON COUNTY," SO AS TO CHANGE THE CORPORATE LIMITS OF SAID TOWN. A. D. 1891.
No. 871.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to incorporate the town of Lamar, in Darlington County," approved December 24th, A. D. 1890, be, and said Section 1 is hereby, amended so that said Section 1 as amended shall read as follows: A. A. 1890, § 1,
ante 856, amended.

SECTION 1. That all citizens of the United States and this State who now are, or hereafter may be, inhabitants of Lamar, in the County of Darlington, shall be deemed, and are hereby declared to be, a body politic and corporate, and that said town shall be known by the name of Lamar and the limits shall extend one mile square, with the depot of the Charleston, Sumter and Northern Railroad as the centre. Incorporation.
Name and limits

Approved December 22nd, A. D. 1891.

AN ACT TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS OF EDGEFIELD COUNTY TO FURNISH THE MASTER FOR SAID COUNTY OFFICE ROOM AND NECESSARY FURNITURE FOR SAME. No. 872.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Edgefield County be, and are hereby, required, from and after the passage of this Act, to furnish office room, together with the necessary furniture therefor, to the Master for Edgefield County. To furnish
master with of-
fice, &c.

Approved December 23rd, A. D. 1891.

A. D. 1891.
No. 873. AN ACT TO AUTHORIZE THE COUNTY TREASURER OF EDGEFIELD TO RECEIVE AND RECEIPT FOR STATE AND COUNTY TAXES FROM THE TAXPAYERS OF SHAW TOWNSHIP IN SAID COUNTY.

Receipts for taxes. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Treasurer of Edgefield County is hereby authorized to receive and receipt for State and County taxes, including the constitutional two mills tax, from the taxpayers in Shaw Township in Edgefield County, without requiring the payment of any railroad taxes imposed on the taxpayers of said township: **R. R. tax excepted.** *Provided, however,* That nothing herein contained shall be construed to affect any rights that the holders of said bonds may have. **Rights preserved.**

When to take effect. SEC. 2. That this Act shall take effect from and immediately after its passage.

Approved December 23rd, A. D. 1891.

No. 874. AN ACT TO PROHIBIT THE SALE OF SPIRITUOUS, MALT, OR INTOXICATING LIQUORS WITHIN THE CORPORATE LIMITS OF THE TOWN OF TRENTON, IN EDGEFIELD COUNTY.

Sale of liquors in Trenton prohibited. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sale or vending of any spirituous, malt, or intoxicating liquors in any quantities within the corporate limits of the town of Trenton, in Edgefield County, is hereby prohibited for a period of ten (10) years from and after the passage of this Act, and the Town Council of said town shall have no power to grant any licenses for that purpose within the period named.

Repealing clause. SEC. 2. That all Acts and parts inconsistent herewith are hereby repealed.

Approved December 22nd, A. D. 1891.

AN ACT TO RECHARTER A FERRY ACROSS THE SAVANNAH RIVER,
IN EDGEFIELD COUNTY, TO BE KNOWN AS FERGUSON'S FERRY,
AND TO VEST THE SAME IN JANE SEARLS.

A. D. 1891.

No. 875.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a public ferry be, and the same is hereby, rechartered to reach and extend across the Savannah River at the point in Edgefield County where the public road which leads from Edgefield C. H. to Lincolnton, Georgia, crosses said river, now known as Ferguson Ferry, and to be known in future as Ferguson's Ferry. That the said ferry be, and the same is hereby, vested in Jane Searls, her heirs and assigns, for the term of twenty-five years, and that the following rates of toll be charged and no more: For a buggy with one horse, thirty-five cents each way; buggy with two horses, sixty cents each way; carriage with two horses, seventy-five cents each way; wagon with two horses, seventy-five cents each way; wagon with four horses, one dollar each way; sulky with one horse, twenty-five cents each way; ox cart with two oxen, thirty cents each way; ox cart with one ox, twenty cents each way; ox cart with four oxen, sixty cents each way; man and horse, ten cents each way; led horses, five cents per head; cattle, sheep and swine, five cents per head; cart and horse or mule, twenty-five cents each way: Provided, Children going to and returning from school shall pass free of charge.*

Ferguson's ferry rechartered.

Vested in Jane Searls.

Tolls.

School children exempt.

Approved December 24th, A. D. 1891.

A JOINT RESOLUTION TO PAY G. W. CROUCH, B. F. GLANTON AND TILLMAN HARLING, LATE COUNTY COMMISSIONERS OF EDGEFIELD COUNTY, ONE HUNDRED AND SEVEN 95-100 DOLLARS FOR EXTRA SERVICES AS COUNTY COMMISSIONERS, RENDERED IN THE YEARS 1888 AND 1889.

No. 876.

SECTION 1. *Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of the County of Edgefield are*

Extra services to be paid for.

A. D. 1891. hereby authorized and required to audit the claims of G. W. Crouch, B. F. Glanton and Tillman Harling, late County Commissioners of Edgefield County, for the sum of one hundred and seven 95-100 dollars for extra services rendered by them as County Commissioners for said County in the years 1888 and 1889; and said County Commissioners are hereby authorized and required to issue to said parties their warrant upon the County Treasurer of said County for said sum, to be paid out of the levy for general County expenses.

Warrants to be issued.

And paid. SEC. 2. That the County Treasurer of said County of Edgefield do pay said warrant when drawn out of the levy for general County expenses.

Approved December 11th, A. D. 1891.

No. 877. AN ACT TO INCORPORATE THE EDGEFIELD COUNTY YOUNG MEN'S CHRISTIAN ASSOCIATION.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. W. Hill, W. E. Lynch, A. J. Norris, E. J. Mims, R. A. Marsh, A. S. Tompkins, Jas. T. Bacon, J. H. Burkhalter, J. Wm. Mitchell, Whit. Harling, B. L. Caughman, J. L. Andrews, and John Lake, and their associates, who have formed themselves into an association under the name of the Edgefield County Young Men's Christian Association, and their successors, be, and the same are hereby, declared to be a body politic and corporate under the name and style of the Edgefield County Young Men's Christian Association, and as such the said association shall have succession of officers and members according to its constitution or by-laws, and shall have power to make and adopt such constitution and by-laws from time to time as they may please not repugnant to the laws of the land; to have, use, and keep a common seal, and alter the same at will; to sue and be sued, plead and be impleaded in any Court in this State or the United States, and to have and enjoy every right incident to incorporation; the said association is authorized to acquire and possess property, real and personal, or either, not to exceed one

Incorporation.

Name and powers.

By-laws.

Property rights.

hundred thousand dollars, by gift or purchase, and may use and dispose of the same at pleasure, and to this end make or receive any deed, mortgage, or other legal instrument that may be necessary or desirable.

A. D. 1891.

SEC. 2. The said association shall have for its object the dissemination of the principles of morality and Christianity, especially among young men, and the organization of Young Men's Christian Associations in Edgefield County.

Objects.

SEC. 3. This Act shall be deemed and taken to be a public Act, and shall take effect immediately upon its approval.

Public Act.
When to take effect.

Approved December 22d, A. D. 1891.

NOTE.—For Act relating to sale of domestic wine in Edgefield County, see *ante* No. 762, p. 1194.

AN ACT TO REGULATE THE DRAWING AND TERM OF SERVICE OF No. 878. JURORS IN THE COUNTY OF FAIRFIELD.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the Spring and Fall terms of the Court of Common Pleas and General Sessions for the County of Fairfield, thirty-six jurors shall be drawn, in the manner provided by law, to serve for the first week, and a like number shall be so drawn to serve for the remainder of each of said terms, and separate writs of venire shall issue for the jurors drawn as aforesaid: *Provided*, That whenever a jury shall be charged with a case, such jury shall not be discharged by reason of anything in this Act contained until a verdict shall have been found or a mistrial ordered in such case.

Jury to be
drawn for each
week.Provide as to
juries charged.

SEC. 2. That Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Repealing
clause.

Approved December 11th, A. D. 1891.

A. D. 1891. **AN ACT TO ESTABLISH AND CHARTER HARRISON FERRY, ON
WATEREE RIVER, IN THE COUNTIES OF FAIRFIELD AND
No. 879. KERSHAW.**

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a public ferry be, and the same is hereby, established and chartered to reach across Wateree River, in the Counties of Fairfield and Kershaw, at a point known as Harrison Ferry, and that said ferry be vested in John D. Harrison and his heirs for the full term of twenty years, and that the following rates of toll be charged and collected, and no more: For a buggy with one horse, 25 cents each way; buggy with two horses, 50 cents each way; carriage with two horses, 50c. each way; wagon with two horses, 50c. each way; wagon with four horses, \$1 each way; sulky with one horse, 25c. each way; ox cart with two oxen, 35c. each way; ox cart with one ox, 25c. each way; ox cart with four oxen, 50c. each way; man and horse, 12½c. each way; led horses, 6½c. each way; cattle, 3c. per head each way; sheep, 2c. each way per head; swine, 3c. per head each way: *Provided*, Children going to and returning from school shall pass free of charge.

SEC. 2. In case where a greater sum is demanded than is prescribed in the foregoing Section by any person having the management or care of said ferry, the demanding or collecting such excessive charge shall be deemed guilty of a misdemeanor, and upon conviction in any Court of competent jurisdiction shall be fined any sum not less than fifty (50) dollars and not more than one hundred (100) dollars, or be imprisoned in the County jail for a period of not less than ninety days.

Approved December 22nd, A. D. 1891.

AN ACT TO CHANGE THE NAME AND AMEND THE CHARTER OF
THE FAIRFIELD SAVINGS AND LOAN ASSOCIATION.

A. D. 1891.

No. 880.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of Fairfield Savings and Loan Association, a corporation duly incorporated by an Act entitled "An Act to incorporate the Fairfield Savings and Loan Association, and to ratify and validate all the acts of an association known by that name heretofore chartered by the Secretary of State," approved December 22d, A. D. 1888, be, and the same is hereby, amended by striking out the words "Fairfield Savings and Loan Association," wherever the same appears in any of the Sections of said Act, and inserting in lieu thereof the words "The People's Bank;" and on and after the first day of February, 1892, the said corporation shall be known and styled "The People's Bank."

Charter amended.

Act, 184.

Name changed.

SEC. 2. That wherever the word "association" appears in any of the Sections of said Act of incorporation, the same shall be stricken out and the word "corporation" inserted in lieu thereof.

Further change.

SEC. 3. That the charter of said corporation be further amended by inserting immediately after the fifth Section of said Act of incorporation the following Sections:

Additional sections.

SECTION 6. The said corporation shall have power and authority to invest its capital stock or other funds in bank or other stocks, in the purchase of bonds of the United States, bonds issued by this or any other State of the United States, and in bonds of any incorporated company; to lend money upon personal or real security, to discount bonds, notes, and bills of exchange, and to guarantee the payment of notes, bonds, bills of exchange, or other evidences of debt.

Investments.

Loans, discounts and guarantees.

SECTION 7. The said corporation shall receive deposits from any person or persons, and all such deposits may be invested as the Board of Directors may deem most advantageous and in accordance with Section six; and interest may be allowed to the depositors thereof as may be directed or provided for by the by-laws of the institution.

Deposits.

Interest to depositors.

SECTION 8. The said corporation is hereby declared capable in law of holding and exercising the office of executor by appointment of any testator, the office of administrator of the testator or intestate by appointment of the Court of Probate, the office of guardian or other trustee of an estate which may be held in

May be executor.

Guardian or trustee.

- A. D. 1891.** trust by appointment of any person or Court of competent authority to make such appointment, and the office of trustee under any mortgage; and in such case the said corporation, or executor, administrator, or trustee, shall be subject to the same measure of accountability and to the same rules and regulations of law which pertain to such trust when held and exercised by natural persons, except that in lieu of any bond to be required of said corporation for the administration of any trust the capital stock and other assets of the corporation shall stand pledged for the faithful discharge of any such trust.
- Accountability.**
- Security.**
- Issue of circulating notes.** SECTION 9. That power and authority is hereby given said bank to issue bills or notes by order of the said corporation, signed by the president and countersigned by the principal cashier thereof, promising the payment of money to any person or persons, his, her or their order, or to the bearer, which bills and notes, under the seal of the said corporation, shall be binding and obligatory upon the said corporation in like manner, and with like force and effect, as upon any private person or persons if issued by him, her or them in his, her or their private capacity, and shall be assignable and negotiable in like manner as if they were so issued by such private person or persons, that is to say: Those which shall be payable to any person or persons, his, her or their order, shall be assigned by endorsement in like manner, and with like effect, as foreign bills of exchange or promissory notes now are, and those which are payable to any person or persons, or bearer, shall be negotiable and assignable by delivery only: *Provided, however,* That before any such issue is made the said corporation shall deposit with the State Treasurer bonds of the State of South Carolina, bonds of the United States, bullion, gold or silver coin, of the value of one hundred per centum of the bills or notes about to be issued.
- How transferred.**
- Deposit to secure circulation.**
- Numbering changed.** SEC. 4. That the numbering of Section 6 of the original Act of incorporation be changed so as to be known as Section 10 of this Act.

Approved December 24th, A. D. 1891.

AN ACT TO REGULATE THE TRAFFIC IN SEED COTTON IN THE
COUNTY OF FLORENCE.

A. D. 1891.

No. 881.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act the traffic in seed cotton, by purchase, barter, or exchange, in the County of Florence, without license, is hereby prohibited. Traffic without license forbid- den.

SEC. 2. That the Clerk of the Court of Common Pleas for the County of Florence be, and is hereby, authorized and empowered to issue licenses to traffic in seed cotton by purchase, barter, or exchange, in said County, to such person or persons as shall file with said Clerk a written application therefor, the granting of which shall be recommended by at least ten land owners resident within the township wherein said applicant intends to do business. Such license shall specify the exact place whereat the said business shall be carried on, and shall be good for no other place, and shall continue in force for the space of one year from the date of issue; and for such license, if granted, a fee of five hundred dollars shall be paid by the applicant to the County Treasurer, for the use of the said County. Issue of licenses. Particulars of license. License fee.

SEC. 3. That any person who shall hereafter traffic in seed cotton in this County by purchase, barter, or exchange, without first having obtained a license as above provided, shall be guilty of a misdemeanor, and, on conviction, shall be punished for each offence by a fine of not less than one hundred dollars, or by imprisonment of not less than one year, or by both fine and imprisonment, within the discretion of the Court. Penalty for trading without license.

SEC. 4. That any person to whom license to traffic in seed cotton may be granted shall keep at said place of business a book in which shall be entered the date of every purchase, from whom purchased, and the quantity purchased, which book shall always be open to inspection of persons applying therefor; and any person to whom a license may be granted as herein provided failing to comply with the requirements of this Section shall, on conviction, be liable to the penalties specified in Section 3. Book to be kept. Penalties.

SEC. 5. That nothing herein contained shall be construed to repeal, or in any wise modify, the provisions of Section 2518 of the General Statutes. Gen. Stat. §2518, not affected.

Approved December 22nd, A. D. 1891.

A. D. 1891. **AN ACT TO LIMIT THE FEES OF TRIAL JUSTICES IN FLORENCE COUNTY FOR RECOGNIZANCES IN CRIMINAL CASES.**

No. 882.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That after the passage of this Act no Trial Justice in Florence County shall be allowed pay for more than three recognizances in any criminal case where the costs are to be paid by the County: **Provided, however,** That this Act shall not be so construed as to relieve any Trial Justice from the duty of taking and filing all necessary recognizances in every case.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 22d, A. D. 1891.

No. 883. **AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NEW SCHOOL DISTRICT IN MOTT'S TOWNSHIP IN FLORENCE COUNTY, TO BE KNOWN AS "THE BEULAH SCHOOL DISTRICT" AND TO AUTHORIZE THE LEVY AND COLLECTION OF A LOCAL TAX THEREIN.**

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of maintaining public schools at Beulah, in Mott's Township, Florence County, the County Board of Examiners of Florence County be, and they are hereby, authorized and required to lay off a new school district, which shall be embraced in the following described area: Taking a point at the intersection of the County lines of Florence, Clarendon, and Sumter, at Wood's Mill as a base; from thence running the County line between Florence and Clarendon Counties, to intersection of a neighborhood road with the Centennial road one-half mile east of New Town; from thence running said mentioned neighborhood road to southeast corner of W. D. Allen's plantation; thence from last mentioned corner running in a northeasterly direction to first gate on the Manning road, east of J. Wayne Floyd's plantation; from thence running in a direct

line to the Sumter County line to a point at the northeast corner of J. Belser Truluck's plantation, and from thence following said last mentioned County line to the base at Wood's Mill, and the area thus enclosed shall constitute the said school district.

A. D. 1891.

SEC. 2. That said district shall be known and called "Beulah School District;" and shall be a body politic and corporate, with such rights, privileges and liabilities as are provided for school districts by the school laws of this State.

Name, rights, &c.

SEC. 3. That the County Board of Examiners of Florence County is hereby authorized and required to appoint a Board of three (3) trustees for said school district who shall hold office without compensation for two years from their appointment, and until their successors shall be appointed, and all vacancies in the Board of Trustees shall be filled by appointment of the Board of Examiners.

Board of Trustees.

Vacancies.

SEC. 4. That in addition to the rights and privileges heretofore granted, the said school district shall have power to levy on all real and personal property returned in said district, a tax not exceeding five (5) mills on the dollar, subject to the following provisions: The School Trustees of said district shall, at any time they may deem expedient, previous to the 31st day of January of each year, issue a call for a public meeting of all the citizens who return real or personal property for taxation in said district, and shall post a notice of the time, place and object of said meeting in at least two (2) public places in said district for at least ten days before such meeting.

Special school tax.

Meeting of taxpayers.

Notice to be given.

SEC. 5. When the persons answering the above description shall have assembled in public meeting, they shall have the power to select a chairman and secretary; to adjourn from time to time, and to decide what tax, if any, under the provisions of this Act, shall be levied: *Provided*, That no tax thus levied shall be repealed or changed within the same year.

Powers of meeting.

Tax not to be repealed.

SEC. 6. It shall be the duty of the Chairman and Secretary of said public meeting, within ten (10) days after said meeting has been held, to notify the Chairman of said Board of Trustees of said School District, and the Auditor of said County of the amount of tax thus levied, and the Auditor shall at once assess such tax on the real and personal property returned in said School District, and the County Treasurer of said County shall collect the same with the State and County taxes, and such taxes shall be a lien on all property for two years, and all de-

Notification, assessment and collection of tax.

Lien.

A. D. 1891.

faulting tax payers shall be liable to like process and penalties as defaulters for State and County taxes.

Powers of
trustees.

SEC. 7. That said Trustees, or a majority of them, in addition to the duties and powers now provided by law for Trustees of School Districts, shall have the powers and duties following:

Provide
buildings.

(1) To select the sites of, and to erect or provide by lease, purchase or otherwise, suitable buildings for the use of the public schools of said School District. (2) To elect and dismiss superintendents and teachers of the public schools in said district, to prescribe their duties, terms of office, fix their salaries, and to make rules and regulations for the government of said schools.

Teachers and
discipline.

Disbursement
of tax.

(3) To determine the manner in which the tax hereinbefore authorized, and the two mill constitutional and poll tax provided by law, shall be expended in maintaining public schools.

Tuition.

Apportionment
of tax.

(4) To fix the rate of tuition for pupils residing outside said School District. (5) To determine and direct to what school or schools in said district said additional tax shall be appropriated, and in what proportion it shall be appropriated to the respective schools in said district.

Payment of
school funds.

SEC. 8. The money collected from such tax levy, the poll tax and the constitutional two mill school tax to which the said district is entitled under the general provisions of the law, shall be held by the County Treasurer and paid out on warrants by Trustees of said School District, and for the non-performance of his duty in respect to said money the Treasurer shall be held liable in the same manner and to the same extent as for non-performance of his duty in respect to State and County taxes.

Liability of Co.
Treasurer.

Specifications
in returns.

SEC. 9. It shall be the duty of each and every tax payer whose property may be partly within and partly without said School District, when return is made thereof for State and County taxes, to plainly and separately specify in such return under oath, the position or positions of such property, whether real or personal, subject to taxation within said district; and in case such tax payer shall have made return before such School District is laid off, it shall be his, her or their duty to make another or amended return in accordance herewith; and it shall be the duty of the County Auditor to enter the tax belonging to said School District upon the tax duplicate, in a separate column, so that the County Treasurer may accurately and conveniently keep the same separately from the other taxes; and the said County Treasurer shall, on demand of the said Board of Trustees of said School District, furnish them statements of

Amended
returns.

Separation of
property on tax
books.

Statement by
County Treasurer.

the amount of his collections of the additional taxes, as also

the poll and constitutional tax to which said School District shall be entitled. A. D. 1891.

SEC. 10. It shall be the duty of the said Board of Examiners to have the said School District laid off on or before the 15th day of January, 1892, and may employ a competent surveyor to lay off the same and erect proper landmarks to designate its boundaries, the expense therefor to be paid out of the school funds after proper audit, upon their order on the County Treasurer: *Provided*, That should it be impracticable to lay off the said School District before the 15th day of January, 1892, then the same shall be done as soon thereafter as practicable, and the Trustees of said School District shall, as soon thereafter as they may deem it expedient, in the year 1892, call the meeting of the tax payers of said district for the purposes and in the manner provided in Section 4 of this Act.

Survey of school district.
Payment for.
When to be done.
Meeting of taxpayers.

SEC. 11. That all Acts and parts of Acts inconsistent with this Act are hereby repealed. Repealing clause.

Approved December 16th, A. D. 1891.

AN ACT TO AUTHORIZE AND EMPOWER THE BANK OF FLORENCE No. 884.
TO ACCEPT AND EXECUTE TRUSTS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and immediately after the approval of this Act the Bank of Florence, in the County of Florence, shall have the power and the authority, in addition to the powers already possessed to accept and to execute any trusts or trusteeships of any and every description which may, at any time, with the consent of said bank, be committed and transferred to said bank by any person or persons whomsoever, or by any bodies politic or corporate.

Trusts and trusteeship.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and are hereby, repealed. Repealing clause.

Approved December 24th, A. D. 1891.

A. D. 1891.

No. 885.

AN ACT TO PROVIDE FOR THE PAYMENT OF A SALARY TO THE
SHERIFF OF GEORGETOWN COUNTY FOR SERVICES IN CRIMINAL
CASES, AND IN CERTAIN OTHER CASES THEREIN MENTIONED.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That beginning with the first day of November, A. D. 1891, the Sheriff of Georgetown County shall receive an annual salary of twelve hundred dollars in lieu of all costs, charges, and fees whatsoever for services in criminal cases, whether the same be such as are cognizable in Trial Justices' Courts, or in the Court of General Sessions, including the execution and service of all process issued by the Coroner or Probate Judge of said County : *Provided.* That nothing herein contained shall be construed to prevent him from receiving the fees provided by law for dieting prisoners and fees for transporting lunatics to the Asylum.

Dieting and
transportation
fee.

Itemized state-
ment of fees.

Pay to treasurer.

Duty of auditor
and treasurer.

SEC. 2. That the said Sheriff shall make to the County Treasurer of said County monthly a sworn itemized return of all fees, costs, and fines received or collected by him in criminal cases, and shall at the same time pay over the same to said Treasurer. And it is hereby made the duty of the County Auditor and County Treasurer of said County to examine said sworn return and the books of said Sheriff every month for the purpose of enforcing the provisions of this Act.

Violations of
this Act by sheriff
a misdemeanor.

Penalties.

SEC. 3. That if the said Sheriff shall fail or neglect to make said monthly return on or before the tenth day of each month, or shall file a false or fraudulent return, or shall retain in his hands and fail or refuse to pay over any part of the fines, fees, or costs received or collected by him at the time and in the manner required by this Act, he shall be deemed guilty of a misdemeanor, and on conviction thereof shall be imprisoned for not more than one year or pay a fine of not more than two hundred dollars, or both, in the discretion of the Court, one-half of such fine to be paid to the informer.

Sheriff to col-
lect and pay over
fees.

SEC. 4. The said Sheriff shall collect and receive all fees and costs to which he would have been entitled but for the provisions of this Act, except such as may be chargeable against said County, and shall pay over the same as required by this Act.

Sheriff to act
as constable.

SEC. 5. The said Sheriff shall be required to act as the Constable of the Trial Justice in the town of Georgetown without any additional compensation.

SEC. 6. That this Act shall go into effect immediately upon its approval. A. D. 1891.

SEC. 7. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed. When to take
effect.
Repealing
clause.

Approved December 22nd, A. D. 1891.

AN ACT TO INCREASE THE SALARY OF THE TRIAL JUSTICE RESIDING IN THE SOUTHEASTERN OR SANTEE SECTION OF GEORGETOWN COUNTY. No. 886.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the Trial Justice residing in the Southeastern or Santee section of Georgetown County shall receive an annual salary of one hundred and twenty-five dollars (\$125). Salary.

Approved December 24th, A. D. 1891.

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO AMEND SECTION 1 OF AN ACT ENTITLED 'AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ESTABLISH AND CHARTER SAMPIT FERRY ON SAMPIT RIVER IN GEORGETOWN COUNTY,"' APPROVED DEC. 24, 1883," APPROVED DECEMBER 24TH, 1890. No. 887.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to amend Section 1 of an Act entitled 'An Act to amend an Act entitled "An Act to establish and charter Sampit Ferry on Sampit River in Georgetown County,"' approved December 24th, A. D. 1883," approved December 24th, A. D. 1890, be, and the same is hereby, repealed. A. A. 1890,
ante 876, re-
pealed.

A. D. 1891.

When to take
effect.

SEC. 2. That this Act shall go into effect immediately upon its approval.

Approved December 23rd, A. D. 1891.

NOTE—For Act relating to fees allowed Sheriff of Georgetown on sales made by him. See ante No. 808, p. 1250.

For Act relating to sale of dressed beef in Georgetown. See ante No. 854, p. 1326.

No. 888. AN ACT TO PROVIDE REINDEXING CERTAIN RECORDS IN THE OFFICE OF MESNE CONVEYANCE FOR GREENVILLE COUNTY, AND TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS OF SAID COUNTY TO LEVY A SPECIAL TAX TO DEFRAY THE EXPENSES OF THE SAME.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act, the Register of Mesne Conveyances for Greenville County is authorized and required to have prepared new indexes of the matters of record in said office hereinafter provided for. Said indexes shall consist of:

New indexes ordered.

Conveyances.

Mortgages of realty.

Lexicographical plan.

1st, a direct and cross index to conveyances of real estate; 2d, a direct and cross index to mortgages of real estate; the said indexes to be prepared upon what is known as the lexicographical plan.

SEC. 2. That the said indexes shall be prepared in books which shall conform in size and quality prescribed by Section 769 of the General Statutes of South Carolina, and shall be furnished by the said Register.

Size and quality of books.

SEC. 3. That said indexes shall be prepared under the supervision of the said Register of Mesne Conveyances, and the expenses of making the same shall be paid by the County Commissioners of said County, in the manner provided in the subsequent Section.

By whom prepared.

Expense.

SEC. 4. That for the purpose of defraying the expenses of said indexing, the County Commissioners of Greenville County are authorized and required for the fiscal year beginning 1st November, 1891, to levy and collect a tax of one-eighth of one mill upon all taxable property in said County, at the same time and

Annual tax of 1/8 mill.

in the same manner as is provided by law for the collection of State and County taxes; and the said one-eighth of one mill shall be paid to the said Register of Mesne Conveyances for the said work, or so much thereof, as the Commission hereinafter provided for shall fix as a fair compensation therefor: *Provided*, That no part of the one-eighth of a mill collected for the year beginning 1st November, 1891, shall be paid out until a Commission shall certify that they have examined the work, and it has been carefully and accurately performed. Said Commission to be appointed as follows: One member by the County Commissioners, one by the Master, and one by the Circuit Judge presiding at the next term after the work is completed.

A. D. 1891.
To whom paid.

Commission to certify to work.

Appointment of commission.

SEC. 5. The County Commissioners shall draw their check on the County Treasurer for the one eighth of one mill, payable to the said Register of Mesne Conveyances, as soon as the Commission above provided for shall certify that the work has been completed as herein required: *Provided*, That the said Commission shall receive five dollars per day for each day actually engaged in making the examination, no Commissioner to receive, however, more than fifty dollars: *Provided, further*, That should there be a surplus from said levy after paying the above expenses, the same shall be used for ordinary County purposes.

Co. Com'rs to draw check.

Pay of the commission.

Surplus.

Approved December 23rd, A. D. 1891.

AN ACT TO PROVIDE FOR THE APPOINTMENT OF ONE SUB-COMMISSIONER FOR EACH TOWNSHIP IN GREENVILLE COUNTY AND TO DEFINE HIS POWERS AND DUTIES. No. 889.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of the County of Greenville be, and they are hereby, authorized and empowered to appoint one sub-commissioner for each and every township in said County, whose duty it shall be to overlook the public roads in his township, organize the road hands in proper and convenient squads, and to report the condition of the roads and bridges in his township to the County Commissioners of said County on the 1st

Sub-commissioner for each township.

His duty and powers.

A. D. 1891.

day of March, June, and November in each year, and have kept in good condition all the public roads in said township.

Repealing

clause.

SEC 2. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 22d, A. D. 1891.

No. 890. A JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF GREENVILLE COUNTY TO APPLY THE SURPLUS OF THE ONE MILL "JAIL TAX" AND ANY SURPLUS THAT MAY REMAIN FROM THE SALE OF THE JAIL LOTS TO THE PAYMENT OF THE PAST INDEBTEDNESS OF SAID COUNTY.

Appropriation
of surplus.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Greenville County are hereby authorized to apply any surplus of the one mill jail tax which may remain after paying off the notes given for money borrowed for building the new jail, and any surplus that may remain from the sale of the jail lots, after paying for repairs on the court house, to the payment of the past indebtedness of said County.

Approved December 23rd, A. D. 1891.

No. 891. AN ACT TO SUBJECT CERTAIN TOWNSHIPS IN THIS STATE, WHICH HAVE VOTED TO SUBSCRIBE TO THE CONSTRUCTION OF CERTAIN RAILROADS HEREIN NAMED, TO TAXATION FOR THE PURPOSE OF PAYING SAID SUBSCRIPTIONS, AND TO AUTHORIZE BONDS TO BE ISSUED THEREFOR.

Preamble.

Whereas, Certain townships in the Counties of Greenville, Spartanburg and Union have, by a vote of the qualified voters of such townships, expressed their willingness, upon certain

conditions named in the order submitting the question to the voters of such townships, respectively, to subject themselves to taxation for the purpose of paying bonds and the interest thereon in aid of the construction of a railroad from the city of Greenville to the town of Union; and, so far as the subscription of Greenville Township is concerned, to be extended to Southport; in the State of North Carolina; said bonds to be issued and delivered to the "Glenn Springs Railroad Company" or to the "Cape Fear and Cincinnati Railway Company," or to either of said companies, under any other name or to any other railroad company that may fulfil the conditions upon which said subscriptions were voted; *and whereas*, the construction of a railroad between the points hereinbefore referred to and its extension to any other point in this State, as well as the construction of any one or more of the other railroads referred to in this preamble, will be of great public importance; therefore, for the purpose of carrying into effect the expressed wishes of the people of said townships in the said Counties of Greenville, Spartanburg and Union, and in order to provide for taxing said townships which have already voted subscriptions for said public purpose:

A. D. 1891.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the subscriptions voted by said townships in the said Counties of Greenville, Spartanburg, and Union respectively, to aid in the construction of any of said railroads, be, and they are hereby declared to be, valid and legal debts of said townships, respectively, such subscriptions to be paid in coupon bonds, bearing six per cent. interest, of the denominations of one hundred, five hundred, or one thousand dollars each, payable in thirty years from date, with interest, payable annually, to be signed by the County Commissioners of the respective Counties as the corporate agents of such townships, and the same to be paid, with the interest thereon, by the assessment, levying, and collecting of an annual tax upon the taxable property in said townships, respectively: *Provided*, That said subscriptions and bonds hereby declared to be debts of said townships, respectively, shall not be in any manner binding upon any of said townships so subscribing, except upon the conditions upon which the people of such townships, respectively, have voted the same, and to be absolutely null and void in case the said conditions are not complied with.

Subscriptions
declared to be
valid debts.Payable in
bonds.County Comm'rs
made township
agents.Annual tax.
Conditions
imposed.

- A. D. 1891.** **SEC. 2.** That the bonds to be issued for said subscriptions to any of said railroad companies, and the manner in which the said bonds and the interest thereon are to be paid, except as herein provided for, shall be in conformity with the terms of an Act entitled "An Act to incorporate the Glenn Springs Railroad Company," approved December 26th, 1884, and Acts amendatory thereof, and the said townships so subscribing in aid of the construction of any of the said railroads shall be entitled to all the rights and privileges granted by Section 8 of said Act, as amended, to enable them to pay both interest and principal of the bonds so to be issued.
- Provisions affecting bonds.** **18 Stat., 911.** **Rights of townships.**
- When to take effect.** **SEC. 3.** That this Act shall take effect immediately on its approval.

Approved December 23rd, A. D. 1891.

No. 892. AN ACT TO PROHIBIT THE MANUFACTURE AND SALE OF SPIRITUOUS OR MALT LIQUORS, WINES, BITTERS, OR BITTERS OF WHICH SPIRITUOUS LIQUORS FORM AN INGREDIENT, WITHIN FIVE MILES OF THE O'NEALE HIGH SCHOOL IN GREENVILLE COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after passage of this Act it shall be unlawful for any person or persons to manufacture, or sell, or offer for sale, or dispose of by traffic, barter or otherwise, any spirituous or malt liquors, wines, bitters, or bitters of which spirituous liquors form an ingredient, within five miles of the O'Neale High School in Greenville County.

Penalties. **SEC. 2.** That any person or persons violating the provisions of the preceding Section of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum of not less than two hundred dollars or imprisonment for a term of not less than six months, or both, in the discretion of the Court trying the case, for each and every offence.

Public Act. Duration. **SEC. 3.** That this Act shall be a public Act, and shall continue

in force until repealed, and all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

A. D. 1891.

Repealing
clause.

Approved December 18th, A. D. 1891.

AN ACT TO PROHIBIT THE MANUFACTURE AND SALE OF SPIRITUOUS OR MALT LIQUORS, WINES, BITTERS, OR BITTERS OF WHICH SPIRITUOUS LIQUORS FORM AN INGREDIENT, WITHIN FIVE MILES OF THE TIGERVILLE HIGH SCHOOL, IN GREENVILLE COUNTY. No. 893.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same. That from and after passage of this Act it shall be unlawful for any person or persons to manufacture or sell, or offer for sale, or dispose of by traffic, barter or otherwise, any spirituous or malt liquors, wines, bitters, or bitters of which spirituous liquors form an ingredient, within five miles of the Tigerville High School, in Greenville County.

Sale of liquors
prohibited.

SEC. 2. That any person or persons violating the provisions of the preceding Section of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum of not less than two hundred dollars, or imprisonment for a term of not less than six months, or both, in the discretion of the Court trying the case, for each and every offence.

Penalties.

SEC. 3. That this Act shall be a public Act, and shall continue in force until repealed, and all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Public Act.

Duration.

Repealing
clause.

Approved December 22nd, A. D. 1891.

A. D. 1891.

No. 894.

A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE COMPTROLLER GENERAL TO DRAW HIS WARRANT IN FAVOR OF JEFF. D. GILREATH, OF GREENVILLE COUNTY, FOR THE SUM OF ONE HUNDRED AND 27-100 DOLLARS, AND THAT THE STATE TREASURER PAY THE SAME.

Comp. Gen. to
draw warrant.

State Treasurer
to pay.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller General of this State be, and he is hereby, authorized and required to draw his warrant on the State Treasurer in favor of Jeff. D. Gilreath, of Greenville County, for one hundred and 27-100 dollars for moneys expended by him in bringing back to this State Perry Abraham and Wesley Bolling, two fugitives from justice, under requisition papers issued by the Governor of this State, and that the State Treasurer pay the same out of any funds in the State Treasury not otherwise appropriated.

Approved December 11th, A. D. 1891.

No. 895. AN ACT TO AUTHORIZE THE CITY COUNCIL OF GREENVILLE TO ORDAIN THE NECESSARY ORDINANCES FOR THE ESTABLISHMENT, CONSTRUCTION AND MAINTENANCE OF A SYSTEM OF SEWERAGE IN THE CITY OF GREENVILLE, AND TO ISSUE BONDS FOR THE PURPOSE OF THE ESTABLISHMENT, CONSTRUCTION AND MAINTENANCE OF SUCH SYSTEM.

System of sewerage
authorized.

Contracts for
construction.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the City Council of Greenville, in addition to the powers now vested in them by law, be, and they are hereby, authorized to pass all necessary ordinances, rules and regulations for the establishment, construction and maintenance and enforcement of a system of sewerage in the streets, private lots and dwellings in the city of Greenville, and beyond its limits if it be necessary.

SEC. 2. That the said City Council be, and they are hereby, authorized to contract with any person or corporation for the establishment, building, maintenance and use of a system of

sewerage works in said city, and to pass all necessary ordinances, rules and regulations for the enforcement of the same.

A. D. 1891.

Ordinances.

SEC. 3. That the officers and other persons who may be appointed to execute the provisions of such ordinances, rules and regulations shall as far as may be necessary for the performance of their respective duties have the right to enter any building or premises in said city between the hours of 9 A. M. and 5 P. M.

Right to enter buildings.

SEC. 4. That for the purpose of establishing, constructing and maintaining a system of sewerage in the said city of Greenville, the said city, by its City Council, is hereby permitted and authorized to issue (\$75,000) seventy-five thousand dollars of six per cent. coupon bonds, or so much thereof as in their judgment may be necessary, payable thirty years from their date, said interest upon said bonds to be paid semi-annually, upon the first day of July and the first day of January: *Provided*, That a majority of the qualified electors of said city shall vote in favor of such issue at an election to be held for that purpose as hereinafter provided.

Bonds for \$75,000 authorized.

To be approved by electors.

SEC. 5. That upon a petition presented to them by one-third of the real estate owners of said city to submit to the qualified electors thereof the question of the issue of said sewerage bonds in an amount to be therein specified, not exceeding seventy-five thousand dollars, the City Council of said city are hereby required to give at least three weeks' notice by advertisement in one or more of the papers of said city of the time and the place of an election upon said issue, and of the names of managers appointed by them to conduct an election. Registration shall not be required as a qualification of an elector. At such election those of said electors voting in favor of the issue of said bonds shall cast ballots with the words "Sewerage Bonds—Yes" written or printed thereon, and those opposed ballots with the words "Sewerage Bonds—No" written or printed thereon.

Application for election.

Notice of election.

No registration.

Ballots.

SEC. 6. That the coupons of said bonds shall be receivable for all taxes in said city; and for the purpose of paying the interest on said bonds semi-annually, as hereinbefore provided for, and the principal when due, it shall be the duty of said City Council to levy and collect the necessary amounts upon the real and personal property in said city.

Coupons receivable for taxes.

Tax to pay bonds and coupons.

SEC. 7. That said City Council shall also have the power to condemn such private property as may be necessary for said sewerage, the same to be condemned and the damage assessed as is now provided for in the opening of or widening streets in said city.

Condemnation of land.

A. D. 1891.
 When to take effect.

SEC. 8. That this Act shall take effect immediately upon its approval.

Approved December 22nd, A. D. 1891.

No. 896. AN ACT TO PROVIDE FOR THE GRADING AND PAVING OF THE STREETS, PUBLIC WAYS, AND ALLEYS OF THE CITY OF GREENVILLE.

Improvement of streets, &c.
 Sidewalks, drains, &c.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Mayor and Aldermen of the city of Greenville shall have power and authority, and it is hereby made their duty, to grade, pave, macadamize, and otherwise improve for travel and drainage the streets, public ways, and alleys of said city or such of them as they may deem advisable, and to construct sidewalks and to pave the same and put down crossings, curbing, drains, side drains, and cross drains, such as may be necessary in their judgment to carry out the provisions of this Act.

Assessment on abutting lots.
 Division of expenses.
 To be paid according to frontage.
 Application of proceeds.

SEC. 2. In order to more effectually carry out the authority hereby delegated, the said Mayor and Aldermen shall have power to assess one-third of the cost of such grading, paving, macadamizing, and improving said streets, public ways, and alleys of said city both as to sidewalks and roadways, upon the abutting property owners on each side of said streets, public ways and alleys, so that said property holders in the aggregate shall pay two-thirds of the said costs and the said city the remaining one-third. Said assessments to be paid by said property holders *pro rata* according to the frontage of their property on said streets, public ways and alleys, respectively, and the money arising from such assessments shall be applied to the payment of interest on, and as a sinking fund to redeem, the same under such regulations as said Mayor and Aldermen may by ordinance prescribe.

How collected.

SEC. 3. The assessments provided for in Section 2 of this Act shall be collected as other taxes in said city are collected and in such instalments as the said Mayor and Aldermen shall by ordinance prescribe.

SEC. 4. Whenever the said Mayor and Aldermen shall determine to improve any street, public way or alleys, as hereinbefore provided, they shall cause the same to be carefully surveyed, and the proposed grade definitely established and ascertain as accurately as possible the cost of the contemplated improvement, and shall also cause the frontage of each piece of property fronting on said street, public way or alley to be determined and fixed so that the assessment on each property holder may be easily ascertained.

A. D. 1891.
Survey.

SEC. 5. To obtain the means of carrying out the provisions of this Act on the part of the city the said Mayor and Aldermen may issue and negotiate bonds of said city under the provisions of Section 31 of the charter of said city.

Bonds authorized.

SEC. 6. The said Mayor and Aldermen shall have power and authority by ordinance to provide for all the details necessary and requisite for carrying out the provisions of this Act.

Details of work.

Approved December 22nd, A. D. 1891.

AN ACT TO INCORPORATE THE TOWN OF TRAVELLER'S REST, No. 897.
IN GREENVILLE COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States who now are, or who may hereafter be, inhabitants of the town of Traveller's Rest, in Greenville County, shall be deemed, and are hereby declared to be, a body politic and corporate; and that said town shall be known by the name of Traveller's Rest, and the limits shall extend one-half mile in every direction from a point midway between the two depots of the Carolina, Knoxville, and Western Railway Company, so that the limits shall form a circle.

Incorporation.

Name and limits.

SEC. 2. Said Town of Traveller's Rest shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, A. D. 1885.

Rights and limitations.

19 Stat., 174.

A. D. 1891.

Public Act.
Duration.

SEC. 3. That this Act shall be deemed a public Act and shall continue in force for thirty years from the date of its passage and until the final adjournment of the General Assembly next thereafter.

Sale of liquors
prohibited.

SEC. 4. No license for the sale of spirituous or malt liquors, wines, bitters or other beverages of which spirituous liquors form an ingredient shall be granted by the municipal authorities of Traveller's Rest, in the County of Greenville.

When to take
effect.

SEC. 5. That this Act shall take effect immediately on its approval.

Approved December 23rd, A. D. 1891.

No. 898. AN ACT TO AMEND SECTIONS 1 AND 2 OF AN ACT ENTITLED "AN ACT TO INCORPORATE THE GREENVILLE GAS LIGHT COMPANY," RATIFIED 28TH JANUARY, A. D. 1861, AND THE AMENDMENTS THERETO.

A. A. 1861, 12
Stat., 883, amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to incorporate the Greenville Gas Light Company," ratified January 28th, 1861, be, and the same is hereby, amended by inserting before the word "light" on line seven the words "an electric," and inserting after the word "light" on line 7 the words "and power," so that said Section shall read as follows:

Incorporation.

SECTION 1. That Thomas M. Cox, James P. Boyce, Alexander McBee, F. F. Beattie, Logan B. Cline, and C. J. Elford, and their successors and associates, shall be, and they are hereby, incorporated and made and declared a body politic and corporate in deed and in law, by the name and style of "Greenville Gas and Electric Light and Power Company," and as such body politic and corporate shall have power to make, use, have, and keep a common seal, and alter the same at will, to make all necessary by-laws not repugnant to the laws of the land, and to have a succession of officers and members conforming to such by-laws, and to sue and be sued, plead and be impleaded, in any Court of law or equity of this State, and to have, use, and enjoy all other

Name and
powers.

rights, and be subject to all other liabilities incident to bodies corporate. A. D. 1891.

SEC. 2. That Section 2 of this Act, as amended, be, and the same is hereby, amended by striking out the words "a capital of twenty five thousand dollars with the privilege of increasing same to fifty thousand dollars," and inserting in lieu thereof the words "a capital of forty thousand dollars with the privilege of increasing the same to one hundred thousand dollars," so that said Section, when amended, shall read as follows: Section 2,
amended.

SECTION 2. That the said corporation shall have full power and authority to manufacture, make, and sell gas to be made of rosin, coal, oil, turpentine, or other material, and to furnish such quantities of gas as may be required in and near the town of Greenville for lighting the streets, stores, dwellings, and manufactories and buildings there situate, and for other purposes; to lay pipes and other conductors for conducting gas through the streets, alleys, lanes, or squares of the town of Greenville aforesaid or its vicinity, and to erect such buildings and to hold such real and personal estate as may be requisite or necessary to carry on the business aforesaid; and the said corporation shall have power to raise by subscription, in shares of fifty dollars each, a capital of fifty thousand dollars with the privilege of increasing the same to one hundred thousand dollars; and the said corporation shall or may go into operation, and the rights, privileges, and franchises hereby granted shall attach, whenever fifteen thousand dollars of the capital aforesaid shall have been actually paid in and an oath or affirmation thereof shall have been made by the President, Treasurer, and a majority of the Board of Directors of the said company, and recorded in the office of the Secretary of State at Columbia, and shall have been published in one of the newspapers in the town of Greenville. And said corporation shall further have full power and authority to carry on and conduct the business of using electricity and of manufacturing light, heat, and power, or any or all of them, by electricity, in and near the city of Greenville, in this State, for lighting and heating the streets, roads, lanes, avenues, and public grounds of said city of Greenville and vicinity, and for lighting and heating the stores, dwellings, manufactories, and other buildings there situate, and to furnish such motive power by means of electricity as may be needed for industrial and manufacturing purposes; and for such purposes to erect all necessary poles, pipes, and conductors, subject to proper municipal ordi-

Power to furnish gas for lights.
May lay pipes.
Property rights.
Capital stock.
May use electricity for lights, &c.
Conductors.

A. D. 1891.
 Electrical
 Appliances.

nances and restrictions, and the supplying of power to carry on and conduct the business of dealing in dynamo-electric machines, voltaic, arc, and incandescent lamps, regulators, meters, and other apparatus, devices, and appliances which may be used or applied in producing light, power, or heat by electricity or in connection therewith.

Approved December 22nd, A. D. 1891.

No. 899. AN ACT TO INCORPORATE THE LAUREL CREEK CAMP MEETING ASSOCIATION OF THE METHODIST EPISCOPAL CHURCH SOUTH OF THE METHODIST EPISCOPAL CHURCH, IN GREENVILLE COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Samuel Vaughn, Nelson Wilson, Rev. B. Robertson, Esau Brockman, George W. Vaughn, Stewards of the Laurel Creek Camp Meeting of the Methodist Episcopal Church, in Greenville County, and their successors, be, and they are hereby, made and created a body politic and corporate, under the name and style of the Laurel Creek Camp Meeting Association of the Methodist Episcopal Church of Greenville County, State of South Carolina.

SEC. 2. That the Stewards aforesaid, and their successors in office, shall have power to license or prohibit the sale of goods, wares and merchandise of any kind whatsoever by itinerant traders and salesmen within one mile of the camp ground; to appoint peace officers who shall have power of policemen, and may arrest during the continuance of the meeting parties for disorderly conduct and carry them before the nearest Trial Justice for trial.

SEC. 3. That it shall be unlawful for any itinerant trader or salesman to offer for sale any goods, wares or merchandise within one mile of the camp ground during the continuance of the meeting, unless he shall have obtained a license from the said Board of Stewards. And any person violating the provisions of this Section, upon conviction before a Trial Justice, shall be fined in

OF SOUTH CAROLINA.

1377

a sum of not exceeding twenty dollars or be imprisoned not exceeding ten days.

A. D. 1891.

SEC. 4. This Act shall be deemed a public Act and continue in force until repealed.

Public Act.
Duration.

Approved December 22nd, A. D. 1891.

AN ACT TO INCORPORATE THE ST. MARK'S CAMP MEETING No. 900. ASSOCIATION OF THE METHODIST EPISCOPAL CHURCH IN GREENVILLE COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Stewards of St. Mark's Camp Meeting Association of the Methodist Episcopal Church in Greenville County and their successors, be, and they are hereby, made and created a body politic and corporate, under the name and style of the St. Mark's Camp Meeting Association of Greenville County, State of South Carolina.

Incorporation.

Name.

SEC. 2. That the Stewards aforesaid and their successors in office, shall have power to license or prohibit the sale of goods, wares and merchandise of any kind whatsoever by itinerant traders and salesmen within one-half mile of the camp ground: to appoint peace officers who shall have power of policemen, and may arrest during the continuance of the meeting parties for disorderly conduct and carry them before the nearest Trial Justice for trial.

Power to license sales near
Camp Ground.

Police powers.

SEC. 3. That it shall be unlawful for any itinerant trader or salesman to offer for sale any goods, wares or merchandise within one-half mile of the camp ground during the continuance of the meeting, unless he shall have obtained a license from the said Board of Stewards. And any person violating the provisions of this Section, upon conviction before a Trial Justice, shall be fined in a sum of not exceeding twenty dollars, or be imprisoned not exceeding ten days.

Sales without
license prohibited.

Penalties.

SEC. 4. This Act shall be deemed a public Act and continue in force until repealed.

Public Act.
Duration.

Approved December 22nd, A. D. 1891.

A. D. 1891. **AN ACT TO AMEND AND CONFIRM THE CHARTER OF THE "PIED-**
MONT SAVINGS AND INVESTMENT COMPANY" OF GREENVILLE,
 No. 901. **S. C.**

Preamble.

Whereas, on the 17th day of April, 1891, J. E. Tindall, Secretary of State, acting in pursuance of an Act of the General Assembly entitled "An Act to provide for the formation of certain corporations under general law," approved December 23rd, 1886, as amended by an Act entitled "An Act to amend Sections 5, 8, 14, and 34 of an Act to provide for the formation of certain corporations under general law," approved December 23rd, A. D. 1886, did issue to a corporation known as "Piedmont Savings and Investment Company" a certificate that it had been duly organized under the laws of South Carolina, for the purposes indicated in the written declaration of its corporators, and did thereby authorize it to commence business. *And whereas*, in such written declaration the purposes of said corporation were

Purposes of
 corporation set
 forth.

declared to be: "To make loans of money secured by mortgages of real estate, bonds, stocks or such other security as may be deemed advisable; to receive deposits and savings; to build and rent houses, or otherwise to improve the real estate held and owned by the company; to buy and sell real estate, bonds and mortgages, bonds, stocks, and other evidences of indebtedness." *And whereas*, it was also provided in such declaration

As to capital
 stock.

that "the capital stock of said company should be fifty thousand dollars, divided into five hundred shares of one hundred dollars each," which capital stock has been, by a resolution of the stockholders of such corporation, made subsequent to its organization, and duly filed according to law in the office of the Secretary of State, increased to two hundred thousand dollars, divided into two thousand shares of one hundred dollars

As to payment
 of stock subscrip-
 tions.

each. *And whereas*, it was also provided in such declaration that the said shares should be payable in fifty monthly instalments of two dollars each, and that "at the end of the said fifty months at which the shares subscribed may be paid up, the profits owned by such shares should be declared as dividends, and that each shareholder should then have the option of withdrawing his or her shares, with the dividends thereon declared, or, after so receiving their dividends, of continuing the said shares as paid up stock, receiving thereon such dividends as may be thereafter declared." *And whereas*, some question has

As to validity
 of powers.

arisen as to the authority of the Secretary of State to grant to the said corporation a charter with the powers therein given to

it, and further as to the powers and rights which such corporation, under the said charter, has received. Therefore,

A. D. 1891.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act of the said Secretary of State in granting such charter to the said "Piedmont Savings and Investment Company," and all acts of said corporation done in pursuance and by the authority of such charter be, and the same are hereby, confirmed.

Charter and
acts thereunder
confirmed.

SEC. 2. That the said corporation is hereby invested with the powers and privileges conferred upon it by the said charter, and as declared in the preamble hereto; and also with all the powers and privileges of a corporation organized in pursuance of the Act entitled "An Act to provide for the formation of certain corporations under general law," approved December 23rd, A. D. 1886, and as amended by an Act entitled "An Act to amend Sections 5, 8, 14 and 34 of an Act to provide for the formation of certain corporations under general law," approved December 23rd, A. D. 1886, and shall be subject to all the provisions, restrictions, and limitations of such Acts, except as the provisions of this Act are contradictory to the same.

Powers and
privileges.

Restrictions
and limitations.

SEC. 3. That the said corporation may receive on deposit moneys on such terms as may be agreed upon with depositors, and may invest such deposits for its own use and benefit, issuing therefor certificates of deposit, pass books or other form of indebtedness, negotiable and assignable in manner therein provided: *Provided, however,* That at no time shall the said corporation accept or receive deposits in excess of the capital stock of such corporation at that time subscribed and subsisting.

Deposits.

Limit.

SEC. 4. That if at any time the capital stock of such corporation shall be by withdrawal, consolidation or forfeiture reduced below the amount of twenty-five thousand dollars, that the directors and officers of the said corporation shall take the necessary steps, after having paid off all its liabilities, to convert the assets of the corporation into cash and to divide the same among its stockholders in proportion to the number of shares owned by each; that upon such division this corporation shall cease and determine.

Provision for a
dissolution.

SEC. 5. That no director or officer of such corporation shall borrow any money from it, and, if any director or other officer shall be convicted upon indictment of directly or indirectly violating this Section, or the provisions of Section 3 of this Act,

Loans to officers
forbidden.

A. D. 1891.

Penalties.

he shall be punished by fine or imprisonment, or both, at the discretion of the court.

Approved December 18th, A. D. 1891.

No. 902. A JOINT RESOLUTION TO RELIEVE GEORGE H. HOOVER, AS SURETY ON THE BOND OF ELIAS ALTMAN, WHO HAS SINCE DIED.

Preamble.

Whereas, George H. Hoover, a citizen of the County of Hampton and State of South Carolina, became surety on a bond for Elias Altman in the sum of five hundred dollars, conditioned to be paid to the State of South Carolina if the said Altman should fail to be and appear to receive his sentence, and before the final adjudication of the said case the said Elias Altman died; therefore,

Release.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the said George H. Hoover be, and he is hereby, relieved from the force and effect of the said bond and from the payment of the same.

Approved December 24th, A. D. 1891.

No. 903. AN ACT TO INCORPORATE THE TOWN OF LURAY, IN HAMPTON COUNTY.

Incorporation.

Limits.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the citizens of this State who may be inhabitants of the town of Luray, within the limits hereinafter prescribed, are hereby declared a body corporate. The limits of said town shall be held and deemed to be in the form of a circle and a square upon that circle, with the sides of the square touching the circum-

ference of said circle on the north, east, south and west, the said circle to describe a circumference of one-half mile in all directions from the central point of intersection of the South Bound Railroad and the new public highway, and near the present platform for loading and unloading freight from the South Bound Railroad at said intersection in the town of Luray.

A. D. 1891.

SEC. 2. That said town shall be called Luray, and be governed by an Intendant and four Wardens, to be called the Town Council of Luray, and by that name have succession of members, keep a common seal and property (necessary for corporate uses only), sue and be sued, implead and be impleaded, and enjoy every right incident to an incorporation.

Name, council and its powers.

SEC. 3. That the said Intendant and Wardens shall be always persons who are constitutionally qualified to vote for members of the Legislature in this State, who actually reside within the limits aforesaid, and have so resided at least thirty days immediately preceding their election. Before entering upon the duties of their offices, they shall take the oath prescribed by the Constitution of this State, and also the following oath, to wit: "I do solemnly swear (or affirm) that I am duly qualified, according to law, to exercise the duties of the office of Intendant (or Warden) of Luray, and that I will equally and impartially discharge the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes of my appointment, so help me God." The said Intendant and Wardens shall hold their offices from the time of their election until the second Monday in February ensuing, and until their successors shall be elected and enter upon the discharge of their duties.

Qualification of intendant and wardens.

Oath of office.

Term of office.

SEC. 4. That all male persons who are constitutionally qualified to vote for members of either branch of the State Legislature, and who have been permanent residents of said town for thirty days immediately previous to the election in which they offer to cast their votes (not, however, including transient boarders and lodgers), accompanied with actual residence in the town (which, however, must be periodical, or intended to be so,) for at least thirty days previous to the election, shall be entitled to a vote for Intendant and Wardens of said town.

Who entitled to vote.

SEC. 5. That in case a vacancy should occur in the office of Intendant or any of the Wardens by death, resignation, removal, or otherwise, or in case of a tie in said election, an election to fill such vacancy shall be held by the appointment of the

Vacancy or tie.

A. D. 1891.	Intendant and Wardens, ten days' public notice being previously given; and in case of sickness or temporary absence of the Intendant, the Wardens, forming a council, shall be empowered to elect one of the Wardens to act in his room during the time.	
Intendant <i>pro tem.</i>		
Town elections.	SEC. 6. The election of the Intendant and Wardens of said town after the first election under this charter, which first election shall be held on the second Monday in February, 1892, in like manner as is provided herein for all elections of Intendant and Wardens under this charter, shall be held at the town hall or some convenient public place in the said town on the second Monday in February of each and every year, from ten o'clock A. M. until three P. M., when the polls shall be closed and the managers shall forthwith count the votes, proclaim the election, and give notice in writing to the persons elected. The Intendant and Wardens for the time being shall appoint three managers to hold the ensuing election and for any subsequent elections.	
Time.		
Place.		
Hours.		
Declaration of result.		
Managers.		
Clerk of court to order election.		
Oath of managers.		
Ascertaining rights of elector.		
Powers of a trial justice.	SEC. 7. That the Intendants and Wardens duly elected and qualified shall, during their terms of service severally and respectively within the limits of said town, be vested with all the powers and jurisdiction of Trial Justices of this State, except for the trial of civil causes. The Intendant, as often as occasion	
Council meetings.		
Quorum.		
By-laws and ordinances.		
Punishments.		

to exceed twenty-five dollars, or imprisonment not exceeding forty-eight hours, for each offence: *Provided*, That no fine above the sum of twenty dollars shall be collected by the said Council, except by a suit in a Court having jurisdiction.

A. D. 1801.
Limit.

SEC. 8. The Intendant and Wardens shall also have power to elect or appoint a Marshal, and, if they see fit, a Deputy Marshal, upon such terms as they may deem proper, who shall be duly sworn by the Intendant, invested with all the powers Constables now have by law, and whose power and authority shall be confined within the limits of the said town, and whose duty shall be to collect all fines and forfeitures imposed by the Intendant and Wardens, and to enforce and carry into execution and effect the by-laws and ordinances of the said corporation, and who shall be liable to be removed by the said Town Council; and the said Intendant and Wardens shall also have power to establish an ordinance whenever they shall deem it expedient to appoint and to establish a police corps or night watch for the said town, the expense of the same to be provided for out of the revenue of the said corporation.

Marshals.
Their powers.
And duties.
Removal.
Police corps.

SEC. 9. That the said Town Council shall have power to establish a guard house and to prescribe by ordinance suitable rules and regulations for keeping and governing the same; and the said Town Council may by ordinance, or said Intendant and Wardens may in person, any one or more of them, authorize and require any Marshal, Deputy Marshal or police officer, or any Constable specially appointed, to arrest and commit to said guard house or other place of custody, to be designated by the Intendant and Wardens, for a term not exceeding forty-eight hours, any person or persons who may be engaged in a breach of peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or in any conduct grossly indecent or dangerous to the citizens of the said town or any of them; and it shall be the duty of the Town Marshal or other police officer to arrest and commit all such offenders, and shall have power to call to their assistance the posse comitatus, if need be, to aid in making such arrests; and upon failure of said Marshal or police officer in the performance of such duty as required, they shall severally be subject to such fines and penalties as Council may establish; and all persons lawfully imprisoned shall pay the costs and expenses incident to their imprisonment and be subject to such fines as Council may impose for the offence committed.

Guardhouse.
Arrest of offenders.
Commitment.
Posse comitatus.
Penalties on officer.
Penalties on prisoner.
Nuisances.

SEC. 10. That the said Intendant and Wardens shall have full power to abate and remove nuisances in the said town.

A. D. 1891.

Streets.

SEC. 11. That it shall be the duty of the said Council to keep all roads, ways and streets within the corporate limits open and in good repair, and for that purpose they are invested with the powers vested in County Commissioners; and they shall have full and exclusive power to order out all the hands now liable or hereafter made liable by the laws of this State, and to require them to work on the respective roads, ways and streets within the limits of the said corporation as many days in each year, and to inflict the same fines and penalties for the non-performance thereof, as is by law now inflicted by the different Boards of Commissioners in the respective Counties in this State; and for neglect of duty therein they shall be liable to the same penalties as are now imposed on County Commissioners: *Provided*, That it shall not be obligatory on the Town Council to open any street within the limits of the said town unless upon the petition of the person applying for the same, alleging that the said street is necessary for his use and accommodation, and that there is no other direct or convenient access for him to the business part of the town, which petition shall be verified by the affidavit of the applicant, and recommended by at least twelve of the taxable inhabitants of the said town.

Work on streets.

Penalties.

New streets.

Requester
of petition.Compounding
for street work.

Exemption.

Exemption
from road duty
to the county.

Licenses.

Appropriation
of proceeds.Collection
of fines.Execution
of process.

SEC. 12. The said Intendant and Wardens shall have power to compound with all persons liable to work on said roads, ways and streets upon the payment of such sum of money as they may deem a fair equivalent therefor, to be applied to the use of said corporation. And the Intendant and Wardens are hereby individually exempted from the performance of road and police duty; and no person residing within the said town shall be liable to work on any road without the said limits or be taxed or assessed for the same.

SEC. 13. That the power to grant licenses for billiard tables, to keep taverns or retail spirituous liquors within the limits of the said corporation be, and the same is hereby, vested in the Town Council of Luray, which licenses shall be granted in the same manner and upon the same conditions as they are now or may hereafter be under the laws of this State; and all moneys received for licenses, taxes, fines, exhibitions, etc., etc., within the said limits shall be appropriated to the public uses of said corporation.

SEC. 14. That all fines and forfeitures imposed by said Town Council under the power vested by law shall be collected by *feri facias*. The Sheriff for the County of Hampton for the time being and his lawful deputies be, and they are hereby,

authorized to execute the process of the said Council of Luray, as by law the Marshal of said corporation might or should now do, having the same privileges, powers and emoluments and subject to the same duties and penalties, as herein provided:

A. D. 1891.

Provided, That all nulla bona costs incident on any execution issuing from said Town Council and directed to the Sheriff, shall be paid by said Town Council. *Nulla bona costs.*

SEC. 15. That the said Town Council of Luray shall have power to impose, for the uses of the said corporation, the following annual taxes: On all real estate within the said limits, except that held for religious or charitable purposes, a tax not exceeding one-quarter of one per cent.; on all sales of merchandise, and income arising from factorage, faculties and professions, except the salaries of clergymen of all religious denominations, a tax not exceeding one-eighth of one per cent.; on all wheel carriages kept for hire, a sum not exceeding five dollars each; on all itinerant traders a tax not exceeding twenty-five dollars; also, to prescribe and fix the tax on all shows and exhibitions within the limits of said corporation. And the said Town Council shall have power to enforce the payment of all taxes and assessments levied under authority of this Act against the property and persons of all defaulters to the same extent and in the same manner as is provided by law for the collection of the general State taxes, except that the executions may be directed either to the Sheriff or the Town Marshal or other person especially appointed by Council to collect the same. *Annual taxes.*
Enforcement of tax levies.
Through whom enforced.

SEC. 16. And the said Town Council shall be authorized to borrow money for educational and corporate uses only, and to assess each of the corporators in an amount not exceeding twelve per cent. on his corporation tax, to aid in the payment of the principal and interest of the said debt: *Provided*, That the funded debt of the town shall at no time exceed the sum of three thousand dollars: *And provided, also*, That no loan shall be consummated without the previous concurrence of the voters of the said town, to be ascertained through the medium of the ballot box, after ten days' public notice, as is provided for in case of election for Intendant and Wardens. *Loans.*
Tax for repayment.
Limit.
To be approved at an election.

SEC. 17. And that this Act shall be deemed and taken to be a public Act and shall continue in force until repealed. *Public Act. Duration.*

Approved December 23rd, A. D. 1891.

A. D. 1891.

No. 904.

AN ACT TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS OF HORRY COUNTY TO SUBMIT TO THE QUALIFIED VOTERS OF SAID COUNTY, THE QUESTION OF THE ASSUMPTION BY SAID COUNTY OF THE INDEBTEDNESS OF CERTAIN TOWNSHIPS THEREIN ON ACCOUNT OF SUBSCRIPTIONS TO THE STOCK OF THE WILMINGTON, CHADBURN AND CONWAY RAILROAD COMPANY.

Preamble.

19 Stat., 202.

Recital of elections.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That *whereas*, under an Act entitled "An Act to incorporate the Wilmington, Chadbourn and Conway Railroad Company," Approved December 24th, A. D. 1885, an election was held in the following named townships in Horry County on the question of "Subscription" or "No Subscription" to the capital stock of said railroad company, on the 24th day of March, 1886, viz.: Bayboro, Conway, Green Sea, and Simpson Creek; and said election having resulted in favor of subscription, the County Commissioners, pursuant thereto, afterwards issued in behalf of the township of Bayboro coupon bonds dated July 1st, 1886, running twenty years, to the amount of six thousand seven hundred dollars, and in behalf of the townships of Conway, Green Sea, and Simpson Creek similar bonds of same date to the amount of eighteen thousand five hundred dollars, four thousand dollars, and eight thousand five hundred dollars, respectively, as subscription to the capital stock of said company, for which subscription the County Commissioners hold certificates of said stock in favor of said townships, respectively: And *whereas*, said company, aided as aforesaid, have fully built and equipped their road to the County seat, by which the whole County has been greatly benefited, the County Commissioners of Horry County be, and they are hereby, authorized and required to submit to the qualified voters of Horry County the question of the assumption by said County of the indebtedness of the following named townships of said County, which was incurred on account of the subscription by said townships to the capital stock of the Wilmington, Chadbourn and Conway Railroad Company, represented by coupon bonds issued therefor by said County Commissioners, bearing date July 1st, A. D. 1886, and running twenty years, that is to say, Bayboro Township for six thousand seven hundred dollars, Conway Township for eighteen thousand five hundred dollars, Green Sea

Recital of construction of roads.

Question of assumption of debt to be submitted to electors.

Amount of bonds.

Township for four thousand dollars, and Simpson Creek Township for eight thousand five hundred dollars; and the said County Commissioners are hereby authorized and required to order an election in all the townships in said County, specifying the time, place, and purpose of the election, which shall not be later than the 15th day of April, A. D. 1892, and to appoint three managers at each election precinct in the townships, who shall, without compensation, hold and conduct said election, at which election the ballots shall have written or printed thereon either the words "Assumption, Yes," or the words "Assumption, No;" and the said Board of County Commissioners shall give, by advertisement in a County newspaper once a week for at least three weeks immediately preceding such election, full notice of the time and purpose of the same, and the said managers of the election shall within two days after said election make return thereof to the Board of County Commissioners, who shall at once tabulate said returns and declare the result

A. D. 1891.

Order for election.

Notice.

Managers.

Ballots.

Notice of election.

Return and declaration of result.

Issue of bonds provided for.

SEC. 2. That if said election shall be, and shall be declared, in favor of the assumption of the said indebtedness by the said County, upon the surrender of the aforesaid bonds by the holders and owners thereof, the said County Commissioners shall issue, and afterwards deliver, as hereinafter provided for, to such holders and owners coupon bonds of the County of Horry for the amount of said indebtedness, bearing date 1st July, A. D. 1892, to run fifteen years, (to wit: The balance of the time the bonds so to be surrendered have to run,) bearing interest, payable semi-annually on January 1st and July 1st of each year, at the rate of six per cent. per annum, as authorized by said charter and its amendments, which bonds shall be executed by the Chairman of said Board of County Commissioners under the seal of said Board, and attested by the Clerk of the Board, and shall show upon their face the purpose for which they were issued, and shall recite that they are in lieu of the aforesaid township bonds; and upon the issuance and delivery of the last named County bonds, as hereinafter provided for, the Chairman of said Board shall cause the certificates of stock of the aforesaid townships to be transferred on the books of said railroad company to the County of Horry; and in all meetings or conventions of the stockholders of said company the said stock of said County shall be represented by a Commission, to be composed of five male resident real estate owners of said County, to be carefully selected and appointed by the Clerk of the Court of Common Pleas and General Sessions for said County, each

Description of bonds.

Execution.

Transfer of stock.

Representation of stock.

A. D. 1891.

Provide as to
extension of
road.

Commissioner to represent one-fifth of the stock held by said County at any such meeting: *Provided, however,* That the said bonds to be issued as aforesaid in lieu of the aforesaid township subscriptions shall not be delivered or surrendered by the County Commissioners until the said railroad shall have been extended, built and equipped to Bucksville in Horry County, and examined and received by the Board of County Commissioners, and not then until the said County Commissioners shall have detached and destroyed all past due coupons for interest theretofore accrued.

Cancellation
of past due cou-
pons.

Assessment
and collection of
tax to pay in-
terest.

SEC. 3. That in case said bonds shall be issued as aforesaid, there shall be assessed against the property of said County, by the County Auditor, annually, and collected and paid over by the Treasurer, according to the terms of said bonds and coupons, a sum sufficient to meet the interest thereon, and also a sum or sums to discharge and pay the principal of said bonds, after the method and at the times as directed and required in the Act entitled "An Act to incorporate the Wilmington, Chadbourn and Conway Railroad Company," approved 24th December, A. D. 1885, and its amendments.

And principal.

19 Stat., 202.

Penalties for
violation of this
Act.

SEC. 4. That any violation of any of the provisions of this Act by any officer or officers named in the preceding Sections shall subject such officer or officers to the same penalties as are provided by law for violations of the general duties of such officer or officers. And the provisions of Section 13 of the last named "Act" as to special receipts to be delivered by the County Treasurer to each taxpayer, and as to each taxpayer becoming entitled to stock in said railroad company, shall continue of force and shall apply as to the bonds to be issued in lieu of the township bonds, and the County Treasurer shall issue receipts to taxpayers as and on the terms in said Section 13 provided.

Special receipts
exchangeable for
stock.

Repealing
clause.

When to take
effect.

SEC. 5. That all Acts and parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed; and that this Act shall take effect immediately upon its approval.

Approved December 24th, A. D. 1891.

A JOINT RESOLUTION AUTHORIZING AND REQUIRING THE COUNTY COMMISSIONERS OF HORRY COUNTY TO ALLOW AND PAY \$12.50 TO MRS. S. R. SESSIONS AS BALANCE OF SALARY OF HER SON, F. I. SESSIONS, JR., AS CONSTABLE.

A. D. 1891.
No. 905.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Horry County be, and they are hereby, authorized and required to audit, approve, allow, and pay the sum of twelve dollars and fifty cents to Mrs. S. R. Sessions, mother of F. I. Sessions, Junior, as balance of salary earned by him up to the time of his death as Constable for T. F. Gillespie, Trial Justice, under the Statute in such case made and provided.

Approved December 22nd, A. D. 1891.

AN ACT TO ESTABLISH A PUBLIC FERRY ACROSS THE WACCAMAW RIVER IN HORRY COUNTY, TO BE KNOWN AS PEACHTREE FERRY, AND THE SAME TO BE VESTED IN G. O. DELETTRE. No. 906.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a public ferry, to be known as "Peachtree Ferry" on the Waccamaw River in Horry County, be established and the same be vested in G. O. Delettre, his heirs and assigns, for a term of fourteen years.

SEC. 2. That the said G. O. Delettre shall be allowed to charge and collect the following rate of toll, and none other, at said ferry, to wit: For every four wheel carriage drawn by four horses or mules, each way, one dollar; for every four wheel carriage drawn by three horses or mules, seventy-five cents; for every four wheel carriage drawn by two horses or mules, fifty cents; for every four wheel carriage drawn by six oxen or mules, seventy-five cents; for every four wheel carriage drawn by three oxen or mules, thirty-five cents; for every four wheel carriage drawn by one ox or mule, twenty-five cents; for every

A. D. 1891.

person on horseback leading or driving a horse or mule, ten cents; for every led horse or mule accompanying a person on horseback, five cents; for every head of cattle, three cents; for every horse or mule in drove, five cents; for every hog, sheep or goat, two cents; for every animal for show, in addition to carriage in which it may be conveyed, fifty cents; for every foot passenger, each way, five cents; *Provided*, The following persons be exempt from paying any toll, to wit, every regularly ordained minister of the gospel, every member of the Legislature going or returning from its sitting, all persons going and returning from divine service, all militia and persons travelling in the performance of any civil or military duty: *Provided, further*, The said incorporator shall comply with all the laws and regulations of this State during the term of its charter, only as otherwise herein provided; that children going or returning from school shall be exempt from paying any toll.

Exemptions.

Proviso.

School children.

Approved December 22nd, A. D. 1891.

No. 907. AN ACT TO PROVIDE FOR THE PAYMENT OF SALARIES TO THE SHERIFF AND CLERK OF THE COURT OF COMMON PLEAS AND GENERAL SESSIONS AND THE SCHOOL COMMISSIONER OF KERSHAW COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That after the passage of this Act the Sheriff of Kershaw County shall be paid an annual salary of nine hundred dollars, which shall be in lieu of all fees and costs which he is now by law entitled to charge and receive for his services: *Provided*, That nothing contained in this Act shall affect the right of said Sheriff to charge and receive the usual fees allowed by law for dieting prisoners, mileage and other expenses incurred for services rendered outside of the said County, and his costs and fees in civil cases: *Provided, further*, That said Sheriff shall turn over to the County Treasurer all Sheriff's fees and costs paid by defendants in criminal cases, whether under sentence of Court or otherwise.

Salary of Sheriff in lieu of costs.

Dieting, mileage and other fees.

Payment to County Treasurer.

SEC. 2. That the Clerk of the Court of Common Pleas and General Sessions for the County of Kershaw shall receive an annual salary of two hundred dollars, which shall be in lieu of all fees and costs in civil and criminal cases, except fees as Register of Mesne Conveyance, which shall remain as now provided by law. A. D. 1891.
Salary of Clerk
in lieu of costs.
Fees as Register

SEC. 3. That the salaries of the Sheriff and Clerk of Court, provided for in the preceding two Sections, shall be paid quarterly by the County Treasurer of said County on the warrant of the County Commissioners of said County. Salaries to be
paid quarterly.

SEC. 4. That all fees and costs in civil and criminal cases collected by the Sheriff and Clerk of the Court of Common Pleas and General Sessions for said County, except dicting fees and fees collected as Register of Mesne Conveyance, shall be paid over by them, or either of them, to the County Treasurer of said County. Payment of
fees to County
Treasurer.

SEC. 5. That in lieu of the compensation now allowed him by law, the School Commissioner of Kershaw County shall receive an annual salary of five hundred dollars, which shall be paid quarterly, in the same manner as now provided by law. Salary of School
Commissioner.

SEC. 6. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed. Repealing
clause.

Approved December 24th, A. D. 1891.

AN ACT TO ABOLISH THE OFFICE OF MASTER IN KERSHAW No. 908. COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the office of Master for Kershaw County be, and the same is hereby, abolished. Office abolished.

SEC. 2. That all Acts or parts of Acts now in force in Counties of this State where the office of Master does not exist, relating to the duties of Clerks of Court and trial by Referees, be, and the same are hereby, enacted in the said County of Kershaw. Statutes made
applicable in
Kershaw.

SEC. 3. That all papers, bonds, mortgages, and other evidences of indebtedness payable to the Master of said County or Papers, &c., to
be turned over to
Clerk.

A. D. 1891.

Liability of
Clerk.

pertaining to his office shall be turned over to the Clerk of Court for said County of Kershaw, who is hereby required to receive the same, and is empowered to keep the custody thereof, and to exercise all powers in regard thereto heretofore vested in the Master for said County, his official bond being liable for due performance of his duties herein prescribed.

Approved December 24th, A. D. 1891.

No. 909. A JOINT RESOLUTION TO AUTHORIZE THE SCHOOL COMMISSIONER OF KERSHAW COUNTY TO APPROVE CERTAIN TEACHERS' CERTIFICATES IN SCHOOL DISTRICT NO. 11, AND DIRECT THE COUNTY TREASURER OF KERSHAW TO PAY SAME FROM TAXES COLLECTED FOR THE FISCAL YEAR ENDING OCTOBER 31st, 1892.

Preamble.

Whereas, Nannie H. Nelson, R. C. Ford, Mrs. M. A. Wilson, J. A. Grigsby, J. R. Pickett, Annie Bailey and G. W. McGirt, under contract with the Trustees of School District No. 11 in Kershaw County, taught in the free schools of said School District during the months of January and February, 1891, and their respective certificates were approved by the Trustees of said district, but not by the School Commissioner as the amounts were in excess of the appointment of funds for said School District, now,

Certificates to
be approved and
ordered paid.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the School Commissioner of Kershaw County be and is hereby required to approve said certificates, and direct the County Treasurer of Kershaw to pay the amounts expressed in said certificates respectively out of the funds to be collected and apportioned to said School District from the levy of taxes for the fiscal year ending October 31st, 1892.

Approved December 18th, A. D. 1891.

AN ACT TO PROVIDE FOR THE PAYMENT OF DIETING, COMMITMENT AND DISCHARGE FEES OF PRISONERS COMMITTED TO THE COUNTY JAIL OF KERSHAW COUNTY BY THE MAYOR OF THE CITY OF CAMDEN FOR THE VIOLATION OF THE ORDINANCES OF SAID CITY.

A. D. 1891.

No. 910.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the city of Camden shall pay dieting, commitment, and discharge fees of all persons committed to the jail of Kershaw County by the Mayor of said city by virtue of the power and authority vested in him as Trial Justice, as to criminal matters, within the corporate limits of said city.

Town to pay
for town prisoners.

Approved December 22nd, A. D. 1891.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE CITY OF CAMDEN, IN THE STATE OF SOUTH CAROLINA," APPROVED DEC. 24TH, 1890. No. 911.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 14 of an Act entitled "An Act to incorporate the city of Camden, in the State of South Carolina," approved Dec. 24th, 1890, be, and the same is hereby, repealed, and the following inserted in lieu thereof, to be known as Section 14:

A. A. 1890,
act 890, amended.

SECTION 14. That said City Council shall have power and authority to require all persons owning lots or a lot in said city to keep in good repair sidewalks in front of said lot or lots whenever the same shall front or adjoin any of the public streets of the said city, and the word "repair" as herein used shall mean "repair" or "mending" and not reconstructing of said sidewalks anew. There shall be selected by the freeholders of the said city on the first Monday in May succeeding the election of Mayor and Aldermen of said city, as prescribed in the charter, at a meeting to be called by the Council, three owners of real estate who are voters in said city, who, together with two mem-

Section 14,
as amended.

Sidewalks.

Definition
of "repair."

Sidewalk
commission.

A. D. 1891.

Reconstruction
of sidewalks.Bids and
contract.Assessment
of cost.

Collection.

Decision of
disputes.Section 10,
amended.Section 10,
as amended.To have pow-
ers of trial jus-
tice.

bers of the Council, to be selected by the Council, shall constitute a Board to be known and designated as the Sidewalk Commission, whose term of office shall begin immediately after such selection, and continue until their successors are selected as above prescribed; and whenever in the judgment of said Commission, or any three (3) of them, it is deemed necessary to reconstruct the sidewalks of said city, the said Commission shall so notify the City Council, and furnish the same with their determination as to the width, cost and material of said sidewalks.

The City Council shall thereupon advertise for bids, and let the contract to the lowest bidder, who in their judgment is most competent to execute the same, and shall pay said contractor therefor, after approval of the work by the said Commissioners or a majority of them, after all of them have been duly notified.

The payment for such reconstruction of sidewalks shall be as follows: on that business portion of Main or Broad streets, included within the fire limits of said city as established by Section 12 of this Act the lot owner shall pay one-half of the expenses of such reconstruction and the municipality as a whole shall pay the other half; on all other portions of said city such reconstruction of sidewalks shall be paid out of the city treasury as all other current expenses. And should any lot owner on said business portion of the city fail or refuse to pay the said one-half expense of such reconstruction, the City Council shall collect it in the same manner as in failure to pay city taxes. Should any disagreement arise between the City Council and any lot owner in regard to repairs of any sidewalk, either as to the necessity therefor or the manner or material of such repairs, the same shall be referred to the Sidewalk Commission duly notified, and the decision of a majority of them shall be final and binding on the City Council and lot owner.

SEC. 2. That Section 10 of said Act be amended by adding at the end of said Section the following words: "And as compensation for his services, both as Mayor and Trial Justice, the Mayor shall receive an annual salary of one hundred (\$100) dollars, and such compensation shall not be increased by resolution of Council." So that said Section when so amended shall read as follows:

SECTION 10. That the Mayor of the city of Camden is hereby vested with all the powers and authorities which are now and shall hereafter be vested in a Trial Justice or Justice of the Peace, under the laws of this State, as to criminal matters within the corporate limits of the said city for violation of any

ordinances of the said city or for any breach of the peace therein, and shall have full power and authority, to hear and determine the charges made against all or every person or persons arrested and brought before him for a violation of any of the ordinances or any breach of the peace, and shall be empowered to punish any person or persons, if found guilty of such charges, by fine or imprisonment in the guard house or County jail, or by both fine and imprisonment, not exceeding the limits fixed in the preceding Section of the Act, and as compensation for his services, both as Mayor and Trial Justice, the Mayor shall receive an annual salary of one hundred (\$100) dollars, and such compensation shall not be increased by resolution of Council.

A. D. 1891.

Trial of
offenders.

Punishments.

Salary of mayor.

SEC. 3. That Sections 23 and 24 be stricken out and the following Sections be inserted in lieu thereof:

Substituted
sections.

SECTION 23. That the said City Council shall have power to borrow for the public uses of the corporation, by issuing from time to time, as occasion may require, the bonds of the said corporation bearing interest at a rate not exceeding seven per centum per annum, to be paid semi-annually, for an amount not to exceed twenty-five thousand (\$25,000) dollars, and for the payment of the interest and ultimate redemption of principal according to the terms of the bonds the said corporation shall be at all times liable: *Provided*, That the property of the inhabitants of said city shall be bound for the redemption of said bonds in no other way than by the imposition of the annual tax according to the provisions of this Act: *And provided, further*, That a majority of the owners of real estate within the corporate limits of said city shall petition the City Council to order an election for the purpose of ascertaining if a majority of the qualified voters of said city desire the said bonds issued, and in said petition it shall be stated what it is desired to issue said bonds for, and the amount for which said bonds are to be issued: *And provided further*, That in pursuance of said petition the said City Council do order an election, to be governed as all other elections provided for in this charter are governed, and that at said election a majority of the qualified voters of said city do vote in favor of issuing said bonds.

Issue of bonds.

Interest.

Limit.

Liability of
corporation.

Of taxpayers.

Petition for
election.Order for
election.

SECTION 24. That all Acts or parts of Acts relating to the incorporation of the town of Camden inconsistent with or repugnant to this Act be, and the same are hereby, repealed.

Repealing
clause.

SECTION 25. That this Act shall be deemed a public Act.

Public Act.

A. D. 1891.

Reimburse-
ment of overpay-
ments.

SEC. 4. That all property owners in the said city of Camden who have paid their assessment, in compliance with the requirements of said City Council, acting under the powers granted them in the said Act of 1890 herein amended, shall be entitled to reimbursement from said City Council of any excess paid by them over and above one-half of the costs of repairs or reconstruction for which such assessments were levied, and the said Council are hereby required to refund to those entitled any such excess.

Approved December 24th, A. D. 1891.

No. 912. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND THE CHARTER OF THE ENTERPRISE BUILDING AND LOAN ASSOCIATION, OF CAMDEN, S. C.," APPROVED DECEMBER 19TH, 1887.

A. A. 1887, 19
Stat., 1047, amen-
ded.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to amend the charter of the Enterprise Building and Loan Association, of Camden, S. C.," approved December 19th, 1887, be amended by striking out the words, "two thousand" in the second (2) line of Section 2 of said Act, and substituting in lieu thereof the words and figures "four thousand (4,000)," so that said Section shall read as follows :

Capital stock.

SECTION 2. That the capital stock of said association shall consist of four thousand (4,000) shares instead of five hundred (500) shares as heretofore.

Section 3
amended.

SEC. 2. That Section 3 of said Act be amended by striking out the words "five hundred" in the third (3) line of Section 3 of said Act and substituting in lieu thereof the words and figures "one thousand (1,000)," and by striking out the words "two thousand" in the eighth (8) line of Section 3 of said Act and substituting in lieu thereof the words and figures "four thousand (4,000)," so that said Section shall read as follows :

Section as
amended.
Issue of stock
in series.

SECTION 3. That the Board of Directors of said association shall have authority to issue the stock of said association in four series of one thousand (1,000) shares each, and at intervals of two years between the issuing of any two series of said

stock, and that they may continue to issue series of stock in said association from time to time as fast as any series of stock formerly issued shall be paid up: *Provided*, That at no time shall the number of shares of stock issued exceed four thousand (4,000) shares.

A. D. 1891.

Limit.

Approved December 23rd, A. D. 1891.

**AN ACT TO AUTHORIZE AND EMPOWER THE MOUNT MORIAH No. 913.
BAPTIST CHURCH, OF KERSHAW COUNTY, TO MORTGAGE ITS
PROPERTY.**

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Mount Moriah Baptist Church, of Kershaw County, a religious corporation, chartered under the General Statutes of South Carolina, be, and is hereby, authorized and empowered to mortgage its property, real and personal, for such purposes as the said corporation may deem necessary.

Mortgage
authorized.

SEC. 2. That this Act shall go into effect upon its approval.

When to
take effect.

Approved December 11th, A. D. 1891.

**AN ACT TO PROVIDE FOR THE SURVEY OF A PORTION OF THE No. 914.
BOUNDARY LINE BETWEEN THE COUNTIES OF KERSHAW AND
LANCASTER.**

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of the Counties of Kershaw and Lancaster be and are hereby authorized and required to cause a survey of so much of the boundary line between the Counties of Kershaw and Lancaster beginning at a point on the Wateree

Survey ordered.

Line of survey.

A. D. 1891.

River one-half mile above Peay's Ferry to a point on the Flat Rock Road near Beaver Creek Presbyterian Church.

Payment for
same.

SEC. 2. That the cost of making such survey be paid in equal portions by each of the said Counties of Kershaw and Lancaster, and the County Commissioners are hereby directed to provide for same.

Approved December 24th, A. D. 1891.

NOTE.—For Act relating to sale of domestic wines in Kershaw and Lancaster Counties, see *ante* No. 762, p. 1194.

For Act relating to ferry on the Wateree River between Fairfield and Kershaw, see *ante* No. 879, p. 1334.

For Act relating to commissions on sales allowed the Sheriff of Lancaster, see *ante* No. 803, p. 1250.

NO. 915. AN ACT TO REGULATE THE DRAWING AND TERM OF SERVICE OF JURORS IN THE COUNTY OF LANCASTER.

Juries for
each week.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the Spring and Fall Terms of the Court of Common Pleas and General Sessions for the County of Lancaster thirty-six jurors shall be drawn, in the manner provided by law, to serve for the first week, and a like number shall be so drawn to serve for the remainder of each of said terms, and separate writs of venire shall issue for the jurors drawn as aforesaid: *Provided*, That whenever a jury shall be charged with a case, such jury shall not be discharged by reason of anything in this Act contained until a verdict shall have been found or a mistrial ordered in such case.

Jury to be held
for verdict.

Repealing
clause.

SEC. 2. That Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 5th, A. D. 1891.

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A BETTER POOR HOUSE AND FARM FOR THE INDIGENT POOR OF LANCASTER COUNTY, TO AUTHORIZE THE SALE OF THE PRESENT POOR HOUSE AND FARM OF SAID COUNTY AND THE PURCHASE OF OTHER LANDS FOR SUCH PURPOSE, AND TO PROHIBIT THE GRANTING OF AID TO PERSONS OUTSIDE OF SAID POOR HOUSE AND FARM BY THE COUNTY COMMISSIONERS OF SAID COUNTY, EXCEPT IN EXTREME CASES.

A. D. 1891.
No. 916.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Lancaster County are hereby authorized and empowered, in the name and for the use of said County, in the support and maintenance its indigent poor, or paupers, to purchase such lands adjoining the present Poor House and Farm of said County, or elsewhere in said County within five miles of the Court House, and on such terms, either for cash or on credit payable in one or more annual instalments, as they may determine and agree upon, and to erect suitable buildings and improvements thereon: *Provided*, That the purchase price of the land so purchased, exclusive of improvements and interest, shall not exceed two thousand dollars: *And provided, further*, That the contract for such purchase be made by the 1st day of January, 1894.

Purchase of
lands authorized.

Buildings.
Limit to price.

Limit in time.

SEC. 2. In case the said County Commissioners shall determine to purchase lands not adjoining the present Poor House and Farm of said County, they are hereby authorized and empowered to sell and convey in the name of Lancaster County to any purchaser the present Poor House and Farm of said County at such price and on such terms as they and the purchaser thereof may agree upon, and the proceeds of such sale, when collected, shall be turned over immediately to the County Treasurer of said County, to be held by him as a separate fund to be applied on the warrant of said County Commissioners to the payment of the purchase price or improvements of such lands as they may purchase and improve under this Act.

Sale of Poor
House authorized.

Application of
proceeds to purchase of other
property.

SEC. 3. The said County Commissioners are hereby authorized and required, as soon as practicable, either by suitably improving the present Poor House and Farm of said County, or by the purchase and suitable improvement of other lands, as provided in this Act, to make ample provision for the proper support and maintenance of the paupers or indigent poor of

Provision for
poor.

A. D. 1891.

said County who may be by them committed to or authorized to be received at the Poor House and Farm of said County.

No aid to be
granted outside
of poor house.

SEC. 4. That after the 1st day of July, 1892, the said County Commissioners are hereby forbidden to grant any aid or support to any pauper or indigent person outside of the Poor House and Farm of said County, except in such rare, urgent and extreme cases of disease or helplessness as they may determine to be peculiarly deserving of aid outside of said Poor House and Farm.

Co. Comr's to
draw warrants.

SEC. 5. That the said County Commissioners are hereby authorized and required to draw their warrants on the County Treasurer of Lancaster County in payment of the purchase price of the lands herein authorized to be bought, and in payment of improvements erected on such lands, or on the Poor House and Farm of said County, according to the terms of the contract or contracts therefor made by said County Commissioners, and the said County Treasurer is hereby authorized and required to pay the same out of any funds applicable to such purposes arising from taxes collected in or for the fiscal year ending October 31st. 1892, or in or for any subsequent fiscal year, and out of the proceeds of the sale of the present Poor House and Farm of said County, in case the same shall be sold as hereinbefore provided.

County Treas-
urer to pay.

Approved December 22nd, A. D. 1891.

NO. 917. AN ACT TO FIX THE SALARY OF TRIAL JUSTICES AND CONSTABLES IN THE COUNTY OF LANCASTER.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the Trial Justice in the judicial district embracing the town of Lancaster, in Lancaster County, shall receive a salary of two hundred dollars, and the other Trial Justices in said County shall each receive a salary of thirty-five dollars, except the Trial Justices in the judicial districts embracing Pleasant Hill and Beaufort Township, who shall each receive a salary of fifty dollars: *Provided*, That noth-

Salary of
trial justices.

Proviso.

ing contained in this Act shall be so construed as to alter, amend, or repeal Section 6 of an Act to establish a new judicial district in the vicinity of the Town of Kershaw and Lancaster Counties. A. D. 1891.

SEC. 2. That the person appointed to act as Constable by each Trial Justice shall receive as compensation for his services the same amount as that received by the Trial Justice making the appointment. Compensation
of constables.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act be, and are hereby, repealed. Repealing
clause.

Approved December 22nd, A. D. 1891.

AN ACT TO ALLOW ADDITIONAL COMPENSATION TO THE TRIAL JUSTICES OF LANCASTER COUNTY WHEN CALLED UPON TO ACT AS CORONER. No. 918.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That any Trial Justice in Lancaster County, when called upon to act as Coroner, shall receive in addition to his salary the same fees as are now allowed by law to Coroners. Additional
compensation.

Approved December 22nd, A. D. 1891.

AN ACT DIRECTING THAT ALL TAXES RECEIVED FROM THE CHARLESTON, CINCINNATI AND CHICAGO RAILROAD COMPANY IN THE COUNTIES OF YORK AND LANCASTER, EXCEPT THE TAXES LEVIED FOR STATE AND EDUCATIONAL PURPOSES, BE APPLIED TO THE PAYMENT OF INTEREST ON BONDS SUBSCRIBED BY TOWNSHIPS IN SAID COUNTIES TO THE CAPITAL STOCK OF SAID COMPANY. No. 919.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

A. D. 1891. all taxes received or that may be received from the collection of taxes for or during the fiscal year ending October 31, 1891, or that may be received for or during any subsequent fiscal year from the Charleston, Cincinnati and Chicago Railroad Company in the Counties of York and Lancaster, except the taxes received upon the levies for State and educational purposes, shall be applied by the County Treasurer and County Commissioners of said Counties, respectively, to the payment of the interest on the bonds subscribed by the several townships in said Counties to the capital stock of said company: *Provided, That the taxes so received shall be apportioned and applied among the townships, respectively, in said Counties, respectively, according to the proportionate part of the property of said railroad situated in each of said townships, respectively; and provided, further, that so much of the taxes as may be received or collected from said railroad property lying in any township which has not issued bonds in aid of said railroad shall be applied as otherwise provided by law: And it is further provided, That nothing herein contained shall be construed in any way to recognize, confirm, or make valid the bonds of Broad River Township in York County, or of any township in either of said Counties as to which any litigation or suit is now pending in the Supreme Court of the United States.*

Application of taxes.

Apportionment among townships.

Provide as to township not indebted.

Provide as to certain townships.

When to take effect. SEC. 2. That this Act shall go into effect immediately upon its approval.

Approved December 22nd, A. D. 1891.

NO. 920. AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NEW SCHOOL DISTRICT IN LANCASTER COUNTY AND TO AUTHORIZE THE LEVY AND COLLECTION OF A SPECIAL SCHOOL TAX THEREIN.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That*

Lancaster School District established. a new school district is hereby established in the County of Lancaster to be known as "Lancaster School District," and shall be embraced in the following described area: Taking the court

Area.

house in the town of Lancaster as the central point, draw lines extending two miles North, South, East and West, then let lines be drawn at right angles to the extremities of these lines, and be extended until they touch each other, forming a square, and the area thus included shall constitute the said school district; and the same is hereby created a body politic and corporate, with such rights, privileges and liabilities as are provided for school districts by the General School Law of South Carolina.

A. D. 1891.

Incorporation.

SEC. 2. That J. F. Mackey, D. A. Williams, B. F. Miller, J. B. Erwin, and Ira B. Jones be, and the same are hereby, constituted a board of Trustees for said school district, who shall hold office for one year from the approval of this Act or until their successors shall be chosen under the provisions of this Act.

Board of trustees.

SEC. 3. That in addition to the rights and privileges hereinbefore granted the said school district shall have power to levy on all real and personal property within said district a tax not exceeding five mills on the dollar, subject to the following provisions: The School Trustees of said district shall at any time previous to the 1st day of July of each year, upon the written request of ten voters and freeholders, resident in said district, issue a call for a public meeting of all of those voters of said district who return for taxation real or personal estate in said district of the value of one hundred dollars, notice of which meeting shall be published in at least one newspaper published in said district, and shall be posted in three public places in said district for not less than two weeks before such meeting, specifying the time, place and purpose of such meeting. When so assembled the persons answering the above description shall have power to elect a Chairman and Secretary, to adjourn from time to time, to levy such special tax, not exceeding five mills, as a majority present shall decide, which said tax when collected shall be applied to the establishment, equipment and maintenance of the public schools of said district, under the direction of the trustees of said district and in accordance with the direction of the voters of said district as hereinafter provided, said tax supplementing the poll tax and the Constitutional two mill tax which may belong to or be apportioned to said district according to law for school purposes: *Provided, however,* That no tax thus levied shall be repealed at any subsequent meeting during the year; and the said voters when so assembled shall also have power to elect a Board of Trustees, which shall consist of five members, who shall hold office as such until their successors are duly elected.

Special school tax.

Meeting of taxpayers.

Notice of meeting.

Powers of meeting.

Special tax.

Tax unrepealable.

Trustees.

<p>A. D. 1891.</p> <p>Notification assessment and collection of tax.</p>	<p>SEC. 4. That it shall be the duty of the Chairman and Secretary of said meeting, within ten days after said meeting, to notify the Chairman of the Board of Trustees of said district and the Auditor of said County of the amount of the tax thus levied; and the County Auditor shall at once assess such tax on all real and personal property returned in said district, and the County Treasurer shall collect the same with the State and County taxes; and such tax shall be a lien upon all property of the taxpayer within the district until paid, and defaulting taxpayers shall be liable to like process and penalties as defaulters for State and County taxes.</p>
<p>Lien.</p> <p>Penalties.</p> <p>Disbursement of school funds.</p>	<p>SEC. 5. That the money collected from said tax levy and the poll tax and Constitutional two mills tax to which said district is entitled under the general provisions of the law shall be held by the County Treasurer and paid out on warrants drawn by the Trustees of said school district, which warrants shall be countersigned by the School Commissioner of the County when the same are drawn upon the funds arising from the poll tax and Constitutional two mills tax apportioned to said district.</p>
<p>Designation of school by tax- payer.</p>	<p>SEC. 6. That each taxpayer when he pays any tax for school purposes voted under the provisions of this Act shall have the right to designate to which school established by the Board of Trustees in his district he wishes the money paid by him to go, and the Treasurer shall keep a note of such designation and the money shall be applied by the Board of Trustees as thus designated; and in case the taxpayer shall make no such designation at the time of payment, the taxes paid by him shall be expended as the said Board of Trustees may determine; and in case any surplus of such levy may remain in the hands of the County Treasurer at the expiration of any fiscal year, that the same shall be applied and paid out for like purposes in the succeeding fiscal year.</p>
<p>Causes of no designation.</p> <p>Surplus.</p>	<p>SEC. 7. That the said Board of Trustees, in addition to the powers and duties now provided for Trustees of school districts in the general school law of this State, shall have the following powers and duties: 1. To procure, by purchase, lease or otherwise, suitable grounds, buildings and appliances for the use of the public schools of said district. 2. To elect and dismiss the teachers of the public schools of said district, prescribe their duties, terms of office, to fix their salaries, and whenever deemed necessary may cause an examination of said teachers to be made; to determine and prescribe the books and studies to be used in said schools, and the terms and conditions upon which</p>
<p>Powers of Board.</p> <p>Grounds, build- ings, &c.</p> <p>Teachers.</p> <p>Books.</p>	

parties residing without the limits of said district may be admitted into the public schools thereof. 3. To fix the maximum age of pupils that may attend said schools or free public schools beyond sixteen: *Provided*, The maximum so fixed shall not exceed twenty years. 4. To assess upon scholars or charge as supplementary tuition fees such sum or sums as may be necessary to meet the expenses of the schools. 5. To determine the time and manner of disbursing the taxes herein authorized to be levied, and the purposes and object of such expenditures, except as hereinbefore limited. 6. To fill all vacancies occurring in said Board of Trustees by death, resignation, removal or otherwise. 7. Generally to make all rules and regulations deemed by them proper for the management and government of the public schools in said district.

A. D. 1891.
To fix ages of pupils.

Tuition fees.

Disbursement of taxes.

Vacancies.

General management.

SEC. 8. The Board of Trustees shall make an annual report of the schools of said district to the State Superintendent of Education on or before the 1st day of October in each year, to be forwarded through the office of the School Commissioner of Lancaster County, which said report shall show the average number of pupils attending the public schools of said district as a basis for the apportionment to said district of its share of the school fund provided by the general school law.

Annual report.

Items of report.

SEC. 9. That the bonds of the County Treasurer and County Auditor shall stand as security for the faithful performance of the duties and trusts imposed upon them, respectively, by this Act, and that they shall receive such compensation for their services rendered under this Act as the said Board may allow; the amount allowed, however, not to exceed for any year fifty dollars each.

Liability of County officers.

Their compensation.

SEC. 10. This Act shall take effect immediately after its approval, and all Acts or parts of Acts inconsistent herewith are hereby repealed.

When to take effect.
Repealing clause.

Approved December 23rd, A. D. 1891.

A. D. 1891. **A JOINT RESOLUTION TO AUTHORIZE J. E. STEWMAN,**
 No. 921. **TREASURER OF LANCASTER COUNTY, TO PAY HIMSELF OUT**
OF THE FUNDS COLLECTED FROM TAXES FOR THE FISCAL
YEAR ENDING OCTOBER 31ST, 1891, THE SUM OF ONE
HUNDRED DOLLARS PAID BY S. L. GARDNER, AS AGENT
FOR W. T. KEY & Co., FOR LICENSE TO SELL LIQUOR.

Preamble.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That, *whereas*, J. E. Stewman, Treasurer of Lancaster County, on the 4th day of April, 1891, did receive, as Treasurer, from S. L. Gardner, as agent for W. T. Key & Co., of the town of Kershaw, in the County and State aforesaid, the sum of one hundred dollars as a license for the sale at retail of spirituous liquors, for which the said Treasurer issued his receipt, the understanding between the said Treasurer and the said S. L. Gardner being that if the town of Kershaw refused a license to the said S. L. Gardner for the sale at retail of spirituous liquors in said town, the sum paid to the said Treasurer was to be refunded; *and whereas*, the said town of Kershaw did refuse to grant the license, but the said S. L. Gardner did not call upon the said Treasurer to refund the said sum until after said Treasurer had reported said sum in his regular monthly report, and the said Treasurer, in accordance with his agreement with the said S. L. Gardner, repaid him the money out of his own private means; J. E. Stewman, County Treasurer of Lancaster County, is hereby authorized to reimburse himself to the amount of one hundred dollars from the taxes collected for the fiscal year ending October 31st, 1891.

Reimbursement authorized.

Approved December 16th, A. D. 1891.

No. 922. **A JOINT RESOLUTION TO PAY W. B. DUNLAP ONE HUNDRED**
AND SIXTY-FOUR AND 74-100 DOLLARS DUE HIM FOR SERVI-
CES AS TREASURER OF LANCASTER COUNTY.

Preamble.

Whereas, it appears that the sum of one hundred and sixty-four and 74-100 dollars is justly due to W. B. Dunlap for balance on account of services rendered and performed by him as

the County Treasurer of Lancaster County, between the day of _____, 1889, and the 15th day of January, 1891 :

A. D. 1891.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller General is hereby authorized and required to issue his warrant to W. B. Dunlap for fifty-three and 74-100 dollars, and the State Treasurer is hereby authorized and directed to pay the same out of any money in the State Treasury not otherwise appropriated.

Warrant to be drawn and paid.

SEC. 2. That the County Commissioners of Lancaster County are hereby authorized and required to issue their warrant to W. B. Dunlap for one hundred and eleven dollars, and the County Treasurer of said County is hereby authorized and required to pay the same out of the County funds of the County Treasury.

County claim to be paid.

Approved December 23rd, A. D. 1891.

AN ACT TO AUTHORIZE AND REQUIRE THE SCHOOL COMMISSIONER OF LAURENS COUNTY TO DIVIDE SAID COUNTY INTO SCHOOL DISTRICTS. No. 923.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the School Commissioner of Laurens County and Trustees of the schools of each township shall, immediately after the passage of this Act, proceed to divide each township in said County into six school districts, and shall have power to employ a surveyor to assist them, who shall be paid a reasonable compensation for same out of general school funds for said County by School Commissioner. When said division is made, each division is declared a separate and distinct school district: *Provided*, Nothing herein contained shall apply to any graded school established in said County.

Townships to be divided into school districts.

Survey.

Separate school districts.

Exceptions.

SEC. 2. That after said division is made the School Commissioner shall, after giving ten days' notice which by advertising in a County paper, call a meeting in each school district for the

Meetings in school districts.

A. D. 1891. purpose of electing three Trustees, who shall serve as such, after election, for one year; at said meeting a Chairman and Secretary shall be elected, who shall call the meeting to order, and proceed to elect the Trustees by ballot and declare the election; and no one shall be allowed to vote at such election except qualified voters of said school district.

Powers of meeting.

Voters.

Approved December 22nd, A. D. 1891.

No. 924. A JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF CERTAIN SCHOOL CLAIMS IN LAURENS COUNTY.

Certain school claims to be paid. SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Treasurer of Laurens County be, and he is hereby, authorized and required to pay out of the school fund to be raised for the fiscal year commencing November 1st, 1891, and apportioned to the respective districts named in the pay certificates issued, a certificate issued to T. H. Johnson for twelve and 50-100 dollars; a certificate issued to N. M. Templeton for thirty dollars; a certificate issued to H. E. Lewis for fifteen dollars; a certificate issued to E. C. Ferguson for seven and 50-100 dollars; a certificate issued to A. P. Butler for thirty dollars; a certificate issued to W. C. Fleming for thirty dollars; a certificate issued to J. J. Dillard for fifteen dollars; and a certificate issued to Mrs. W. M. McCaslan for thirty dollars.

Approved December 18th, A. D. 1891.

A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE COUNTY TREASURER OF LAURENS COUNTY TO PAY CERTAIN PAST DUE TEACHERS' PAY CERTIFICATES FROM TAXES COLLECTED FOR THE FISCAL YEAR ENDING 31ST OCT., 1892, AND APPLICABLE TO THE GENERAL SCHOOL FUND OF SAID COUNTY.

A. D. 1891.

No. 925.

Whereas, Mamie L. Pitts and W. S. Pitts are the owners and holders of certain teachers' pay certificates for services rendered as teachers in the free public schools of Laurens County during the month of April and May, 1890, which said certificates, although duly approved by the School Trustees and School Commissioner, are now past due and unpaid; Therefore,

Preamble.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Treasurer of Laurens County do pay out of the general school funds collected for the fiscal year ending the 31 Oct., 1892, to Mamie L. Pitts the sum of eighteen dollars, and to W. S. Pitts the sum of forty-five dollars, for teachers' pay certificates now held by them and duly approved.

School claims to be paid.

Approved December 22nd, A. D. 1891.

AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF THE SCHOOL DISTRICT OF THE TOWN OF LAURENS TO SUBMIT TO THE QUALIFIED VOTERS THE QUESTION OF ISSUING BONDS FOR THE USE OF SAID SCHOOL DISTRICT.

No. 926.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Board of Trustees of the School District of the town of Laurens are hereby empowered to submit to the qualified voters resident in said School District, at an election to be held for that purpose after at least ten days' public notice, the question of authorizing the issue of bonds not exceeding the amount of ten thousand dollars, bearing not exceeding seven per cent. interest, and payable in twenty years, and the levy of an annual tax of one mill to pay the interest on said bonds. The Board of Trustees is hereby empowered to fix rules and hours for hold-

Election on question of issuing bonds.

Limit.

Annual tax.

Conduct of election.

- A. D. 1891.** ing said election, to appoint three managers to conduct said election and declare the result, and is authorized to execute, sell, and deliver the said bonds in the event the majority of the persons voting at said election shall vote in favor of the same:
- Delivery of bonds.**
- Price.** *Provided*, That said bonds shall not be sold for less than par value; the proceeds realized from the sale of which bonds shall be used by said Trustees in purchasing or erecting suitable school buildings, in repairing or improving school buildings, and in providing suitable furniture and apparatus for same. That the interest annually accruing upon said bonds shall be paid by the County Treasurer out of the proceeds of said special tax.
- Use of proceeds.**
- Payment of interest.** Any surplus remaining after the payment of the annual interest shall be applied under the direction of said Board of Trustees to the reduction of the bonds so issued by said school district.
- Surplus.**
- Exempt from taxation.** SEC. 2. That the bonds so issued shall be free and exempt from all taxation.
- Public Act.** SEC. 3. That this Act shall be deemed a public Act, and shall become of force immediately upon its approval.
- When to take effect.**
- Approved December 24th, A. D. 1891.

No. 927. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NEW SCHOOL DISTRICT IN LAURENS COUNTY AND TO AUTHORIZE THE LEVY AND COLLECTION OF A SCHOOL TAX THEREIN." *

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 4 of an Act entitled "An Act to provide for the establishment of a new school district in Laurens County and to authorize the levy and collection of a school tax therein," approved December 19th, A. D. 1887, be so amended as that, after the term of office of the present Board of Trustees of said school district shall have expired, the number constituting said Board shall be increased to seven, who shall be elected at the time and in the manner provided for in Section 4 of said Act, and whose

A. A., 1887, 19
Stat., 1060,
amended.

Term of present
board of trustees.

Election and
term of their
successors.

*A duplicate of this Act was approved Dec. 18, 1891.—EDITOR.

terms of office shall be, of the three first so elected, six years from the date of their election and until their successors are elected; of the next two so elected, four years from the date of their election and until their successors are elected, and of the last two so elected, two years from the date of their election and until their successors are elected. And that after the election of the three classes of trustees so provided for, those elected to succeed them and all trustees thereafter elected shall be elected each for a term of six years from the date of his election and until his successor is elected: *Provided*, That the Board of Trustees shall by election fill for the unexpired term any vacancy in said Board occasioned by death, resignation, removal, or otherwise.

A. D. 1891.

Term of subsequent boards.

Vacancies.

SEC. 2. That Section 5 of said Act be so amended as to read as follows:

Section 5, amended.

SECTION 5. That it shall be the duty of the Chairman and Secretary of said public meeting, within one week after said meeting has been held, to notify the Chairman of the Board of Trustees for said school district and the Auditor of said County of the amount of tax thus levied and how it has been appropriated, and the County Auditor shall at once assess such tax on all real and personal property in said school district as returned and valued for taxes for the City of Laurens for the then current year, a list of which property and valuation shall on demand be furnished him by the Clerk of the City Council of said city; and the County Treasurer shall collect the same with the State and County taxes and such tax shall be a lien on all property until paid and defaulting tax-payers shall be liable to like process and penalties as defaulters for County and State taxes.

Notification, assessment and collection of tax.

Lien and penalties.

SEC. 3. That all Acts and parts of Acts inconsistent with this Act are hereby repealed.

Repealing clause.

Approved December 16th, A. D. 1891.

A. D. 1891.

No. 928.

AN ACT TO ESTABLISH A NEW SCHOOL DISTRICT IN A PORTION OF THE TOWNSHIPS OF SCUFFLETOWN, YOUNG AND LAURENS, IN THE COUNTY OF LAURENS, AND TO AUTHORIZE THE LEVY AND COLLECTION OF A SCHOOL TAX THEREIN.

School district
established.

Area.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of maintaining a public school in a portion of Scuffletown, Young and Laurens, townships in the County of Laurens, in this State, the area embraced in the following lines and boundaries, to wit: Beginning at Ora, in said County, as a central point, thence East one and one-half (1½) miles, thence North two (2) miles, thence South four (4) miles, thence East three (3) miles, and thence North two (2) miles, so that the area herein delineated shall be a parallelogram, two sides of which shall be three miles with Ora as a centre.

Board of
trustees.

SEC. 2. That David Hadden, A. Y. Thompson, B. H. Flemming, Ludy Blukely, Thomas P. Byrd, be, and they are hereby, appointed a Board of Trustees for said school district, and their successors shall be elected by said Board of Trustees and appointed by the Superintendent of Education of South Carolina.

Their successors.

Powers of board.

SEC. 3. That the said Board of Trustees shall have the following powers and duties: 1st. To select suitable sites for the schools in said district, and they shall possess all the rights and privileges of School Trustees that are now possessed or that shall hereafter be given to School Trustees. 2nd. To elect and dismiss the teachers and fix their salaries, to prescribe their duties and term of office, and make the rules for the government of the schools, and make an annual report to the State Superintendent of Education on or before the first day of October in each year, to be forwarded through the School Commissioner of Laurens County. 3rd. To take in charge and keep in order all buildings and other property belonging to or used for carrying on the schools herein created.

General.

Teachers.

Discipline.

Report.

Property.

Chairman
and secretary.

SEC. 4. That the Board of Trustees at their first meeting shall elect from its members a Chairman and Secretary.

Meetings
of board.

SEC. 5. That the Chairman of said Board of Trustees shall call meetings of the Board whenever in his judgment it is necessary, or whenever three (3) members of the Board shall in writing request him so to do.

Jurisdiction.

SEC. 6. That the School Commissioner of Laurens County

shall have jurisdiction over such schools in Laurens County not comprised in the school district herein established. A. D. 1891.

SEC. 7. That said school district is also hereby authorized and empowered to levy on all real and personal property returned in said school district a local tax not exceeding three (3) mills on the dollar in any one year, to supplement the general tax for the support of schools by the persons and mode following, to wit: That the said Board of Trustees shall on or before the 14th day of January, 1892, and on or before the same day in each succeeding year, call a meeting in said school district of all the legal voters living in said school district and returning real or personal property therein: *Provided*, That public notice shall be given of such meeting, specifying time, object and place of, at least ten (10) days before such meeting, by posting the same in three conspicuous places in said school district, and by publishing the same in one of the newspapers published in Laurens County. The persons answering the above designation, when thus assembled, shall appoint a Chairman and Secretary and decide what additional tax, if any, shall be levied. The Chairman of said meeting shall within one week thereafter notify the Chairman of said Board of Trustees and the County Auditor of Laurens County respectively of the amount of tax levied, and the County Auditor shall at once assess such tax on all real and personal property returned in said school district, and the County Treasurer of said County shall collect the said tax with the other taxes for the same year, and such tax shall be liable to like process and penalties as are County and State taxes.

SEC. 8. The County Treasurer of Laurens County shall hold all moneys arising from the Constitutional school tax and poll tax to which said school district shall be entitled under the general provisions of law and under the provisions of this Act subject to the warrant of the Chairman of the Board of Trustees of said school district.

SEC. 9. This Act shall be deemed a public Act, and shall take effect from the date of its approval.

Approved December 24th, A. D. 1891.

Special
school tax

Meeting of
taxpayers

Notice of
meeting.

Powers of
meeting.

Notification,
assessment, and
collection of tax.

Disbursement
of school funds.

Public Act.
When to
take effect.

A. D. 1891. **AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO INCORPORATE
THE TOWN OF MARTIN'S DEPOT," APPROVED 23rd DEC., 1882.**
No. 929.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the town of Martin's Depot," approved 23rd Dec., 1882, be, and the same is hereby, repealed.

A. A. 1882, 18
Stat., 211, re-
pealed.

When to take
effect.

SEC. 2. That this Act shall take effect immediately upon its approval.

Approved December 24th, A. D. 1891.

NOTE.—For Act relating to sale of domestic wine in Laurens County, see *ante* No 762, p. 1194.

No. 930. **AN ACT TO AUTHORIZE THE ORGANIZATION AND MUSTERING INTO THE ACTIVE MILITIA SERVICE OF THIS STATE A MILITARY COMPANY AT BISHOPVILLE, IN SUMTER, AND LEXINGTON COUNTIES, TO BE KNOWN AS "THE BISHOPVILLE GUARDS" AND "THE LEXINGTON RIFLES," RESPECTIVELY.**

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall be lawful for military companies to be known as "The Bishopville Guards" and "Lexington Rifles," to be organized at Bishopville, in Sumter and Lexington Counties, and when so organized said companies shall be mustered into the active militia service of the State: *Provided*, That said organizations shall be completed within two months from the passage of this Act. *And, provided, further*, That said organizations shall come up to the standard required by law for the organization of military companies.

Organization
and names.

When to be
completed.

Standard
required.

Subject to mili-
tia laws.

SEC. 2. That said companies when so organized and mustered into the militia of the State shall be subject to all the requirements and receive all the benefits of the militia laws of this State, as fully as any of the companies now in the active militia service of said State.

SEC. 3. That this Act shall go into effect immediately upon its approval. A. D. 1891.

SEC. 4. That all parts of Acts inconsistent with this Act be, and the same are hereby, repealed. When to take effect.
Repealing clause.

Approved December 11th, A. D. 1891.

AN ACT TO AUTHORIZE THE TOWN COUNCIL OF THE TOWN OF No. 931.
BATESBURG, IN LEXINGTON COUNTY, TO ISSUE BONDS TO THE
AMOUNT OF TEN THOUSAND DOLLARS, TO BE USED IN PUBLIC
IMPROVEMENTS IN SAID TOWN, OR AS SUBSCRIPTIONS TO RAIL-
ROADS AND MANUFACTORIES, AS SAID TOWN COUNCIL MAY
DEEM EXPEDIENT: PROVIDED, THAT A MAJORITY OF THE
QUALIFIED VOTERS OF SAID TOWN SHALL BE IN FAVOR OF
ISSUING SAID BONDS AS EXPRESSED IN AN ELECTION TO BE
HELD FOR THAT PURPOSE.

SECTION 1. *Be it enacted* by the Senate and House of Repre-
sentatives of the State of South Carolina, now met and sitting in
General Assembly, and by the authority of the same, That
in addition to the power and authority heretofore conferred
upon the Town Council of the Town of Batesburg, in Lexing- Issue of bonds
authorized.
ton County, the said Town Council is hereby permitted and
authorized to issue bonds to the amount of ten thousand dollars, Description of
bonds.
to run for thirty years, bearing interest at the rate of six per
cent. per annum, payable annually, to be used in public improve- Purposes.
ments in said town or as a subscription in whole or in part, to
assist in the construction of railroads and manufactories, as
said Town Council may deem expedient: *Provided*. That a To be approved
by electors.
majority of the qualified voters of said town shall be in favor
of issuing said bonds as expressed in an election to be held for
that purpose.

SEC. 2. That upon the issuing of said bonds, the said town is Tax levy.
authorized and required to make annually the proper tax levy
to raise funds sufficient to pay the interest thereon.

SEC. 3. That said election shall be ordered by the said Town Election on
application.
Council upon the written petition of at least ten real estate
owners, resident in said town of Batesburg; public notice of Notice of
election.
said election shall be given by advertising same in one of the

A. D. 1891.

newspapers published in the County for thirty days prior thereto, which notice shall state the time and voting places for said election, and shall in all other respects conform to the law governing general elections.

Approved December 16th, A. D. 1891.

No. 932. AN ACT TO AUTHORIZE THE TOWN COUNCIL OF THE TOWN OF BATESBURG, IN LEXINGTON COUNTY, TO ISSUE BONDS TO THE AMOUNT OF TEN THOUSAND DOLLARS, TO BE USED IN PUBLIC IMPROVEMENTS IN SAID TOWN, OR AS SUBSCRIPTIONS TO RAILROADS AND MANUFACTORIES, AS SAID TOWN COUNCIL MAY DEEM EXPEDIENT: PROVIDED, THAT A MAJORITY OF THE QUALIFIED VOTERS OF SAID TOWN SHALL BE IN FAVOR OF ISSUING SAID BONDS, AS EXPRESSED IN AN ELECTION TO BE HELD FOR THAT PURPOSE.

<p>Issue of bonds authorized.</p> <p>Description of bonds.</p> <p>Purposes.</p> <p>To be approved by electors.</p> <p>Tax levy.</p> <p>Election on application.</p> <p>Notice of election.</p>	<p>SECTION 1. <i>Be it enacted</i> by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That in addition to the power and authority heretofore conferred upon the Town Council of the town of Batesburg, in Lexington County. the said Town Council is hereby permitted and authorized to issue bonds to the amount of ten thousand dollars, and to run for 30 years, bearing interest at the rate of six per cent. per annum, payable annually, to be used in public improvements in said town, or as a subscription in whole or in part, to assist in the construction of railroads and manufactories, as said Town Council may deem expedient: <i>Provided</i>, That a majority of the qualified voters of said town shall be in favor of issuing said bonds as expressed in an election to be held for that purpose.</p> <p>SEC. 2. That upon the issuing of said bonds, the said town is authorized and required to make annually the proper tax levy to raise funds sufficient to pay the interest thereon.</p> <p>SEC. 3. That said election shall be ordered by the said Town Council upon the written petition of at least ten real estate owners, resident in said town of Batesburg; public notice of said election shall be given by advertising same in one of the newspapers published in said County for thirty days prior</p>
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thereto, which notice shall state the time and voting places for said election, and shall in all other respects conform to the law governing general elections.

A. D. 1891.

SEC. 4. That at the said election the ballots to be issued shall have printed or written thereon *Subscription or No Subscription*, and the managers shall, immediately after said election, count the votes and declare the result, to be certified by them to the Intendant and Wardens of the said town of Batesburg.

Ballots.

Declaration
of result.

SEC. 5. That said bonds, when so ordered by a majority of the voters of the town of Batesburg, shall be issued by the authorities aforesaid, in such denomination as the said Town Council of Batesburg may determine; they shall be signed by the said Intendant and countersigned by the Clerk and Treasurer of said town, and sealed with the corporate seal, and numbered from one consecutively upward. Said bonds shall have as many coupons attached as there shall be annual payments of interest to be paid on the bond, with the amounts of interest falling due and the date when it shall become due; each coupon shall be signed by the Town Clerk and Treasurer; and shall be receivable in payment of any and all taxes and debts that may be levied by and due to said town for the year in which the same became payable.

Execution and
description of
bonds.

Coupons.

Receivable
for taxes.

SEC. 6. That the said Town Council shall levy and collect annually, during the time said bonds shall run, an annual tax sufficient to pay the interest on said bonds, at the same time and in the same manner the taxes are levied and collected for ordinary purposes, and with authority and penalties for the non-payment of the same, and shall have power and authority, if they deem the same advisable, every year during the same period, beginning in the year next after the said bonds shall have been issued, levy and collect, in addition to the ordinary taxes, an additional tax for a sinking fund to pay the principal of said bonds: *Provided*, That such additional tax for retiring said bonds shall in no year extend ten cents on the one hundred dollars of property returned for taxes in said town: *And provided, further*, That if said bonds or any portion thereof shall be issued in order to assist in the building of any railroad or railroads, that the same shall not be issued until said railroad or railroads have been completed to said town, and shall have been received by the Railroad Commissioners of said State.

Annual tax
levy for interest.

Tax to raise
sinking fund.

Limit to tax.

Issue of bonds
to railroads.

SEC. 7. That the tax herein authorized to be collected shall be set apart as a separate fund for the purpose of paying said interest and reducing said bonded debt, and shall be used for no

Appropriation
of tax.

A. D. 1891. other purpose whatsoever: *Provided, further,* That should the Town Council be unable to buy said bonds at or below par, then they shall invest the money collected for retiring said bonds in safe interest-bearing securities until the maturity of said bonds.

Investment of proceeds.

Cancellation of coupons.

SEC. 8. That as fast as said coupons are paid, and said bonds may be purchased or paid, they shall be cancelled by the Town Clerk and Treasurer in the presence of the Town Council and filed, and a registry of such bonds as are purchased or paid and cancelled shall be kept by the said Clerk and Treasurer.

Registry of bonds.

Repealing clause.

SEC. 9. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved December 24th, A. D. 1891.

No. 933. AN ACT TO INCORPORATE THE TOWN OF FREDONIA, IN LEXINGTON COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of this State who have resided, or may hereafter reside, for sixty days within the limits hereinafter designated shall be deemed, and they are hereby declared to be, a body politic and corporate under the name of the town of Fredonia; which said town shall extend one-half mile in every direction from the centre of the track of the Charlotte, Columbia and Augusta Railway Company, immediately in front of the building now used as a postoffice.

Incorporation.

Name and limits.

Rights and limitations.

19 Stat., 174.

SEC. 2 That said town of Fredonia shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23, A. D. 1885.

Public Act.

Duration.

SEC. 3. This Act shall be a public Act, and shall continue in force for thirty years from date of its passage, and until the final adjournment of the General Assembly thereafter.

Liquor licenses forbidden.

SEC. 4. That no license for the sale of spirituous or intoxicating liquors, or beverages of which the same may be used for an

ingredient, shall ever be granted by the municipal authorities of said town. A. D. 1891.

SEC. 5. This Act shall take effect immediately upon its approval. When to
take effect.

Approved December 24th, A. D. 1891.

AN ACT TO INCORPORATE THE PALMETTO COLLEGIATE INSTITUTE No. 934.
OF LEXINGTON, S. C.

Whereas, a number of the citizens of the Town and County of Lexington did, for the purposes of securing educational advantages, form themselves into an organization under the name of Palmetto Collegiate Institute, and elect the persons hereinafter named as Trustees. *And, whereas*, the said association has acquired certain property in the Town of Lexington to be used for school purposes. *And, whereas*, the persons so organized authorized C. M. Efrd, C. L. Bradford, W. P. Roof, W. W. Barre, M. L. Taylor, M. D. Harman, and G. M. Harman, the persons elected by them as Trustees of the Palmetto Collegiate Institute, to secure necessary legislation for incorporation for the control of the said property and for carrying on the purposes of the association; now, therefore, Preamble.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That C. M. Efrd, C. S. Bradford, W. P. Roof, W. W. Barre, M. L. Taylor, M. D. Harman, and G. M. Harman, their associates and successors, are hereby declared to be a body corporate by the name and style of the Palmetto Collegiate Institute, located in the Town of Lexington, County of Lexington, State of South Carolina. Incorporation.

Name and
location.

SEC. 2. That the said corporation shall have power in its corporate name to sue and be sued, plead and be impleaded, in any of the Courts of law in this State; to hold real and personal property acquired, and in respect to all such real and personal property now acquired, or hereafter to be acquired, to have and to enjoy every right and privilege, power, and franchise incident and belonging to incorporate bodies; to take and hold Powers of the
corporation.

Property rights.

A. D. 1891.

Limit.

By-laws.

by donation, bequest, or purchase, real and personal property for the benefit and use of the Palmetto Collegiate Institute, not exceeding fifty thousand dollars; to have a seal and to make all such by-laws for the government of such corporation as may be deemed necessary, not inconsistent with the laws of the State.

Officers and
teachers.Discipline
and studies.Degrees and
diplomas.

SEC. 3. That the said corporation shall have power to elect and appoint all officers, professors, and teachers, and to remove them at discretion, and to fill such vacancies as may occur; to provide rules and regulations to govern the conduct of officers, professors, teachers, and students, and a course of studies to be pursued by the students; to confer degrees and award diplomas, and such other honorary distinctions to graduates, and honorary distinctions to others not graduates, as are common to colleges of similar grade.

Approved December 16th, A. D. 1891.

NOTE—For Act relating to commissions allowed the Sheriff of Lexington on judicial sales. See ante No. 803, p. 1250.

No. 935. AN ACT TO EXEMPT A CERTAIN PORTION OF LeGETTS TOWNSHIP AND A CERTAIN PORTION OF BRITTAINS NECK TOWNSHIP, IN MARION COUNTY, FROM THE OPERATION AND EFFECT OF CHAPTER XXVII., TITLE X., OF THE GENERAL STATUTES, ENTITLED "GENERAL STOCK LAW AND FENCING STOCK."

Exemption
from stock law
in LeGetts.Area of exempt-
ed Section.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all that part of LeGetts Township, in Marion County, embraced within the boundaries hereinafter described shall be exempt from the provisions, operation and effect of Chapter XXVII., Title X., of the General Statutes of this State, entitled "General Stock Law and Fencing Stock," viz.: Beginning on Little Pee Dee River at Sandy Bluff; thence along the Sandy Bluff Road to the hillside fencing along Buck Swamp, so as not to include the farming or arable lands West of the Back Swamp to Charles Leonard's on Little Pee Dee River below Gallivant's Ferry, thus including

that territory known as "Little Pee Dee Islands," the run of Little Pee Dee River forming the Eastern boundary of the territory so exempted: *Provided, however,* That a good and lawful fence with good and convenient gates on all public roads intersected thereby shall be built and kept in good repair on said boundary line from Sandy Bluff to Charles Leonard's, the run of Little Pee Dee River being a sufficient lawful barrier on the Eastern boundary. The foregoing being the portion of LeGetts Township to be thus exempt. And that after the passage of this Act that portion of Brittain's Neck Township, in Marion County, lying East of Groves' and Negro Lake Swamps, being that part of the last named township not heretofore so exempted, be, and the said portion of said township is hereby, exempted from the operation and effect of Chapter XXVII., Title X., of the General Statutes of this State, entitled "General Stock Law and Fencing Stock:" *Provided,* It be lawfully fenced and kept lawfully fenced on such sides as may adjoin any section of any County not so exempted.

A. D. 1891.

Fences and gates.

Exemption in Brittain's Neck.

Fences.

SEC. 2. That it shall be lawful for any party or persons interested in the building, repairs, and maintenance of any fence in Marion County enclosing territory exempted from the operation of the said Chapter XXVII., Title X., of the General Statutes to enter upon the adjacent lands of any person or persons whose lands are crossed or included by such fence and to cut sufficient convenient timber to make rails or boards enough to build or repair, and to build and repair said fence across the lands of such person or persons as may refuse or neglect to so build or repair said fence across his, her or their own lands, from time to time, as the same may be necessary to render said fence lawful and sufficient to insure the exemption of the territory embraced from the operation of the General Stock Law.

Entry on adjacent lands.

May cut timber.

Of non-consenting land-owners.

SEC. 3. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Repealing clause.

. Approved December 22nd, A. D. 1891.

A. D. 1891.

No. 936.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF MULLINS, IN MARION COUNTY, STATE OF SOUTH CAROLINA," APPROVED MARCH 4TH, A. D. 1872, SO AS TO PREVENT THE GRANTING OF LIQUOR LICENSES IN SAID TOWN.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 8 of an Act entitled "An Act to incorporate the town of Mullins, in Marion County, State of South Carolina," approved March 4th, 1872, be, and said Section 8 is hereby, stricken out, and the following is hereby substituted as Section 8 of said Act:

A. A. 1872, 28,
15 Stat. 100,
amended.

Section as
amended.
Liquor license
prohibited.

Additional
penalties.

SECTION 8. That from and after the passage of this Act no license shall be granted for the sale of any spirituous or malt liquors, wine, cider, or other intoxicating beverage within the corporate limits of the town of Mullins, in this State, and the Town Council of Mullins shall have power and authority to adopt and to enforce such ordinances and to impose such penalties against any such sale without license as they may deem expedient and lawful, in addition to the penalties prescribed in the general law against retailing liquors without license in this State.

Approved December 18th, A. D. 1891.

No. 937. A JOINT RESOLUTION TO PROVIDE FOR REFUNDING OVERPAID TAXES TO JULIUS BROWN, OF MARION COUNTY.

Preamble.

Whereas, Julius Brown, of Marion County, from the year 1875 to the year 1889, both inclusive, was required to pay State and County taxes on a certain tract of land supposed to contain seven hundred and fifty acres, which really contained but three hundred and forty four acres, thus paying twenty-five dollars as County tax and fifty dollars as State tax during those years over and above the real true amount for which he was liable: Therefore,

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller General be authorized and required to draw

Warrants to be
drawn and paid.

and the State Treasurer to pay a warrant in favor of the said Julius Brown for fifty dollars, and the County Commissioners of Marion County be authorized and required to draw and the County Treasurer of Marion County to pay a warrant in favor of the said Julius Brown for twenty-five dollars, to be in full of State and County taxes overpaid by him from the year 1875 to the year 1889, both inclusive, as aforesaid.

A. D. 1891.

Approved December 24th, A. D. 1891.

A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE No. 938.
COUNTY TREASURER OF MARION COUNTY TO PAY TO JOHN T. McNAIR, ASSIGNEE, A CERTAIN TEACHER'S PAY CERTIFICATE FOR TWENTY-FIVE DOLLARS, ISSUED DECEMBER 9TH, 1886, TO ONE B. E. COMMANDER, FOR SERVICES AS TEACHER IN DISTRICT No. 11, FOR MONTH COMMENCING NOVEMBER 1ST, AND ENDING NOVEMBER 25TH, A. D. 1886.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Treasurer of Marion County be, and he is hereby, authorized and required to pay out of the first money on hand for the school district in question to John T. McNair, assignee, a certain teacher's pay certificate for twenty-five dollars, issued December 9th, 1886, to one B. E. Commander, for services as teacher in District No. 11, for the month commencing November 1st, and ending November 25th, A. D. 1886.

School claim to
be paid.

Approved December 24th, A. D. 1891.

NOTE.—For Act relating to sale of domestic wine in Marion County, see *ante*, No. 702, p. 1194.

A. D. 1891.

No. 939.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ALTER AND AMEND THE LAW RELATING TO THE NUMBER, TERRITORIAL JURISDICTION, AND PAY OF TRIAL JUSTICES AND CONSTABLES IN THE SEVERAL COUNTIES THEREIN MENTIONED," APPROVED 24TH DECEMBER, 1888, AS FAR AS SAID ACT RELATES TO NEWBERRY COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 8, Subdivision *a*, of an Act entitled "An Act to alter and amend the law relating to the number, territorial jurisdiction, and pay of Trial Justices and Constables in the several Counties therein mentioned," approved 24th December, 1888, be, and the same is hereby, amended so as to read as follows:

A. A. 1888, 28,
1a, ante 34,
amended.

Governor to
appoint 8 Trial
Justices.

Localities.

Salaries.

SECTION 8, SUBDIVISION *a*. That the Governor be, and is hereby, authorized to appoint eight Trial Justices for the County of Newberry, and no more; one of said Trial Justices shall reside in the town of Newberry; one in the town of Prosperity; one in Heller's Township; one in Maybinton Township; one in Reeder's Township; one in Longshores Township; and one in Moon's Township, to reside on west side of Little River; and one in Cromer's Township, to reside at or near the town of Whitmire. That the Trial Justices at Newberry and Prosperity shall each receive a salary of one hundred dollars; each of the others shall receive a salary of fifty dollars.

Approved December 22nd, A. D. 1891.

No. 940. A JOINT RESOLUTION TO AUTHORIZE AND DIRECT THE TREASURER OF NEWBERRY COUNTY TO TRANSFER CERTAIN FUNDS THEREIN MENTIONED TO THE ORDINARY COUNTY FUND AND THE GENERAL SCHOOL FUND OF THE FISCAL YEAR COMMENCING 1st NOVEMBER, 1891.

Transfer
of funds.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Treasurer of Newberry County is hereby authorized and directed to transfer the eight hundred and twenty-two and

88-100 dollars of the general funded indebtedness remaining as a credit balance on the Treasurer's books to the ordinary County fund for the fiscal year commencing 1st November, 1891. Also, four hundred and ninety-six 85-100 dollars of the school funded indebtedness remaining as a balance on the Treasurer's books to the general school fund of said County, to be apportioned and distributed among the schools according to their average attendance in the same manner as the constitutional tax is now distributed.

A. D. 1891.

Approved December 24th, A. D. 1891.

AN ACT TO AUTHORIZE THE SOLICITOR OF THE SEVENTH CIRCUIT TO ENTER SATISFACTION UPON A CERTAIN JUDGMENT ON THE CONDITIONS THEREIN NAMED.

No. 941.

Whereas, the State of South Carolina recovered judgment against Thomas F. Grenaker as surety on the official bond of one Jesse C. Smith, who was appointed Treasurer of Newberry County in 1874; *And, whereas*, the said Thomas F. Grenaker died testate on the day of December, 1889, utterly insolvent, leaving his widow, Mrs. Cornelia G. Grenaker, the executrix of his last will and testament: *And, whereas*, the said Cornelia G. Grenaker, with other citizens of said County, has memorialized the General Assembly of the State of South Carolina, praying for relief in the premises in consideration of the sum of five hundred dollars; therefore,

Preamble.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Solicitor of the Seventh Circuit, upon the payment of the said sum of five hundred dollars, be, and he is hereby, authorized and directed to enter satisfaction upon the judgment aforesaid. *Provided*, That nothing herein contained shall be construed as preventing or in any way interfering with any right which the State of South Carolina may have against any of the other sureties on the said bond: *Provided*, That not more than twenty per cent. of said amount shall be expended for costs and fees.

Solicitor to enter satisfaction

Liability of other sureties not released.

Limit to costs

Approved December 24th, A. D. 1891.

A. D. 1891.

No. 942.

AN ACT TO AUTHORIZE THE COUNTY BOARD OF EXAMINERS OF NEWBERRY COUNTY TO USE UNEXPENDED SCHOOL FUNDS FOR THE PURPOSE OF REDISTRICTING THE COUNTY, AND PROVIDING CERTAIN REGULATIONS IN REGARD TO THE NEW DISTRICTS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Board of Examiners of Newberry County be, and the same are hereby, directed to have said County surveyed into such school districts as the said Board of examiners shall decide best for the interest of the public schools.

SEC. 2. That no district created under the provisions of this Act shall contain more than two schools, one for white children and one for colored children; that the school for white children shall not be less than half a mile from the school for colored children: and that the schools shall be located as near the centre of the different districts as practicable, or in such places as the Township School Trustees may deem most advantageous to the interests of said schools.

SEC. 3. That the school districts be as nearly four miles square as practicable; provided that due regard be had to rivers, creeks, and other smaller streams, and that these be used as boundaries wherever possible.

SEC. 4. That in case the Board of School Trustees of any District, created under the provisions of this Act, cannot obtain otherwise suitable sites for the locations of school houses, then the Board of Trustees of such district is hereby authorized to condemn a lot of land for the location of both white and colored schools, if the same be necessary, neither lot to exceed in area one acre: *Provided*, That the owner or owners of such lot or lots of land thereby condemned shall receive a just compensation therefor, to be paid out of the funds of the school district, the amount of said compensation to be determined by three freeholders of the school district, the first of whom shall be selected by the Board of Trustees of the school district, the second by the owner or owners of the lot or lots of land condemned, and the third by the two already selected: *Provided*, That the owner or owners of such land shall have the right of appeal, as provided by law in cases of condemnation of lands for public purposes.

SEC. 5. That in order to defray the expenses of surveying the

A. D. 1891.

County into school districts as herein provided for, and for making a map of the survey, the County Board of Examiners is hereby authorized to draw its warrants upon the County Treasurer for any unexpended school funds which at any time may be in his possession, and the County Treasurer is hereby authorized and directed to pay the warrants thus drawn out of any unexpended school funds: *Provided*, That the funds apportioned to any school district, created by special Act, shall not be used for the purposes aforesaid.

Proviso.

SEC. 6. That no part or parts of this Act shall in any way interfere with the boundary lines of school districts created by special Act.

SEC. 7. That this Act shall not go into effect before the first day of March, 1892.

SEC. 8. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Approved December 23rd, A. D. 1891.

AN ACT TO AMEND SECTION 1 OF AN ACT ENTITLED "AN ACT TO ESTABLISH TWO NEW SCHOOL DISTRICTS IN A PORTION OF No. 943. No. 11 AND No. 2 TOWNSHIPS, AND IN No. 11 TOWNSHIP, IN THE COUNTY OF NEWBERRY, AND TO AUTHORIZE THE LEVY AND COLLECTION OF A SCHOOL TAX THEREIN," APPROVED 22D DECEMBER, 1888.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to establish two new school districts in a portion of No. 11 and No. 2 Townships, and in No. 11 Township, in the County of Newberry, and to authorize the levy and collection of a school tax therein," approved 22d December, 1888, be, and the same is hereby, amended by striking out all of said Section after the enacting words, and substituting the following in lieu thereof:

A. A. 1888, §1, ante 201, amended.

That for the purpose of maintaining a public school in a portion of Number eleven (11) and Number two (2) Townships, in the County of Newberry, in this State, the area enclosed in the

Area of Rutherford School District.

A. D. 1891.

following lines and boundaries, to wit: Beginning at E. W. Reese, on Henderson Ferry Road, and running thence in a straight line to James Cromer's Feltman place, on Ashford Ferry Road, thence along the New Cut Road to its intersection with Second Creek, at Graham's, thence in a straight line to the Columbia Road, at Frank Lominick's, thence in a straight line to the Newberry Road, at T. W. Keitt's Corner, thence to the corner between McGraw and T. W. Keitt, thence S. 69½, W. 50.15 to Heller's Creek, thence along said creek to Caldwell Bridge, thence in a straight line to Reese, the starting point, according to a plat made by F. W. Higgins, Surveyor, on 23d November, 1891, be, and the same is hereby, declared to be a new school district, to be known as the Rutherford School District.

Approved December 16th, A. D. 1891.

No. 944. AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF NEWBERRY COUNTY TO SUBMIT TO THE QUALIFIED VOTERS OF TOWNSHIPS 10 AND 11 OF SAID COUNTY THE QUESTION OF AN ADDITIONAL SPECIAL TAX FOR CERTAIN PURPOSES THEREIN MENTIONED.

SECTION 1. *Be it enacted*, by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Newberry County are hereby authorized and required to order an election in townships 10 and 11 of said County within sixty days from the approval of this Act, at which election they shall submit the question of "special tax" or "no special tax" to the qualified voters of said townships.

SEC. 2. That should the ballots cast at said election show a majority for a "special tax," the County Commissioners shall levy an additional special tax of two mills on all the taxable property in said townships, and be entered upon the County Auditor's and Treasurer's books, and collected by said Treasurer at the same time that he collects the general County and State tax.

SEC. 3. That the special tax collected under the provisions of this Act shall be used and expended by said Commissioners for the purpose of cleaning out and draining Cannon's Creek in said townships, and in any other manner that said Commissioners may deem advisable for the prevention of overflows in and obstructions of said creek.

A. D. 1891.

To be used in clearing Cannon's Creek.

Approved December 22nd, A. D. 1891.

AN ACT TO INCORPORATE THE TOWN OF WHITMIRE, IN NEWBERRY COUNTY. No. 945.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all citizens of this State who have resided sixty days in the town of Whitmire, in the County of Newberry, shall be deemed, and are hereby declared, a body politic and corporate; and the said town shall be called and known by the name of Whitmire, and its corporate limits shall extend one-half mile North, South, East and West from the depot on the Georgia, Carolina and Northern Railway, so that said town of Whitmire shall be one mile square.

Incorporation.

Name and limits.

SEC. 2. That the said town of Whitmire shall have all the rights, powers, and privileges, and be subject to all the provisions and limitations, enumerated and contained in an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved 23d December, 1885. The first election for Intendant and Wardens of said town shall be held on the fourteenth day of January, 1892, between the hours of 9 A. M. and 4 P. M.; and John P. Fant, E. C. Briggs, and Charles Tidmarsh are hereby appointed Commissioners to hold said election, count the votes, and declare the result.

Rights and Limitations.

19 Stat., 174.

First election regulated.

SEC. 3. That it shall be unlawful for any druggist or other person to sell any spirituous or malt liquors, or any medicated liquor of which spirituous liquors form an ingredient, within the incorporate limits of said town, upon the prescription of a physician or otherwise; and any and all persons violating the

Sale of liquors prohibited.

Penalties.

A. D. 1891. provisions of this Section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine or imprisonment, or both, within the discretion of the Court.

Ordinances. And the Town Council of said town is hereby authorized and empowered to pass such ordinances as may be deemed necessary, with appropriate penalties to enforce the observance and punish all violations of the provisions of this Section.

Public Act. SEC. 4. That this Act shall be deemed a public Act, shall go into effect from the date of its approval, and shall continue of force for a period of thirty years and until the final adjournment of the General Assembly next thereafter.

When to take effect.

Duration.

Approved December 18th, A. D. 1891.

No. 946. AN ACT TO REGULATE THE NUMBER AND PAY OF TRIAL JUSTICES IN OCONEE COUNTY.

Eleven to be appointed. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act there shall be eleven Trial Justices, if so many shall be necessary, appointed by the Governor with the advice and consent of the Senate, for the County of Oconee, one of whom shall reside in or near the town of Walhalla, one in or near Seneca City, and one in or near Westminster.

Localities.

Salaries. SEC. 2. That the Trial Justice residing in or near the town of Walhalla shall receive an annual salary of one hundred dollars; the one in or near Seneca City and the one in or near Westminster each shall receive an annual salary of fifty dollars. There shall be two Trial Justices in Centre Township, and the one at or near Fairplay shall receive an annual salary of forty dollars, the one at or near Oakway shall receive an annual salary of forty dollars; the one in Pulaski Township shall receive an annual salary of thirty-five dollars, and the other Trial Justices in said County an annual salary of twenty dollars each; said sums to be the full and only compensation to be received by them in criminal cases.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed. A. D. 1891.
Repealing clause.
When to take effect.

SEC. 4. That this Act shall take effect immediately upon its approval.

Approved December 22nd, A. D. 1891.

NOTE.—For Act relating to sale of domestic wine in Oconee, see *ante* No. 762, p. 1194.
For Act relating to public roads of Oconee, see *ante* No. 778, p. 1215.
For Act prohibiting sale of liquor within ten miles of Clemson Agricultural College, see *ante* No. 785, p. 1233.

A JOINT RESOLUTION AUTHORIZING AND REQUIRING THE No. 947.
CLERK OF THE COURT OF COMMON PLEAS OF ORANGERBURG COUNTY TO TURN OVER TO THE COUNTY COMMISSIONERS OF SAID COUNTY THE FUNDS NOW IN HIS HANDS WHICH ARE DUE TO WITNESSES AND OTHERS, WHO HAVE NOT CALLED FOR THE SAME, AFTER FIRST ADVERTISING FOR THE PERSONS TO WHOM IS DUE TO CALL FOR THE SAME.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Clerk of the Court of Common Pleas for Orangeburg County shall advertise for four months in some newspaper in said County for all parties claiming any part of the funds now in his hands arising from witness fees, etc., in civil causes, which has not been called for, to come forward and prove their rights to the same, said advertisement to be paid for by the County. Clerk to call in claimants.

SEC. 2. That at the end of said four months, so much of the said fund as shall not have been called for, shall be turned over by the said Clerk of the Court of Common Pleas of said County to the County Commissioners of said County, and by them covered into the treasury of said County and used by them in the payment, 1st, of any outstanding jurors' or witnesses' certificates that have not been paid and are due by said County; 2nd, to any other past due claims against said County that have been approved by said County Commissioners and not paid out or otherwise provided by law; and 3rd, to the ordinary expenses of the said County. Disposition of unclaimed fund.
Appropriation.

A. D. 1891. **SEC. 3.** That the County Commissioners of said County shall give a receipt for the said funds to the said Clerk of the Court of Common Pleas of said County, and if at any time thereafter any person or persons having a right to any part of such fund shall establish his right thereto, the said County of Orangeburg shall be liable for the same, and same shall be treated as other claims against the County for the fiscal year in which claims shall be established.

What funds to be turned over. **SEC. 4.** That no funds in the hands of said Clerk shall be turned over to the County Commissioners of said County except such as has been in his hands for five years or more from the date of the approval of this Act.

Provided as to other claims. **SEC. 5.** *Provided,* That nothing in this Joint Resolution shall be construed to repeal Section 3 of a Joint Resolution providing for the payment and cancelling of certain claims against the County of Orangeburg, approved December 12th, 1884.

Approved December 24th, A. D. 1891.

NO. 948. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NEW SCHOOL DISTRICT IN THE COUNTY OF ORANGEBURG, AND TO AUTHORIZE THE LEVY AND COLLECTION OF A SPECIAL SCHOOL TAX THEREIN."

A. A. 1882, 18 Stat., 120, amended. **SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to provide for the establishment of a new school district in the County of Orangeburg, and to authorize the levy and collection of a special school tax therein," be, and the same hereby is, amended by striking out all of said Act after Section 2, and inserting the following in lieu thereof, to be known as Sections 3, 4, 5, 6, 7, and 8 of said Act:

Special school tax. **SEC. 3.** That in addition to the rights and privileges hereinbefore granted, the said school district shall have power to levy and collect a tax on the assessed value of all real and personal property returned in said school district, not exceeding three mills on the dollar, subject to the following provisions: The Meeting of taxpayers. School Trustees of said school district shall, at any time previous

to the thirtieth day of June of each year, upon the written request of ten property holders, issue a call for a meeting, after two weeks' notice, of all those citizens who return real or personal property in said school district, and such notice shall be published in one newspaper or posted in two public places in said district for at least two weeks before such meeting, and shall specify the time, place, and object of said meeting. A list of all citizens who return real or personal property in said school district shall be prepared and certified by the County Auditor, who shall send said list to said meeting.

A. D. 1891.

Notice of meeting.

Auditor to furnish list.

SEC. 4. That when the persons answering the above description shall have assembled in public meeting, they shall have the power, first, to select a Chairman and Secretary; adjourn from time to time; decide what tax, if any, in addition to the constitutional school tax apportioned to the schools of said school district, not to exceed the limit hereinbefore mentioned, shall be levied for the educational interests of said school district: *Provided*, That no tax thus levied shall be repealed at any subsequent meeting within the same year. Second, That they shall also have power to select a Board of five trustees for said school district, whose term of office shall be for one year from the date of selection, and until their successors are elected, and who, in addition to the duties and responsibilities now provided by law for trustees of said school district, shall have the following powers and duties: 1. To elect a Chairman and Secretary of their Board. 2. To purchase or lease school property, and erect school buildings for the use of the public schools of said school district. 3. To elect and dismiss superintendents and teachers of the said schools, to prescribe their duties, terms of office, and to fix their salaries, and to cause an examination of said teachers to be made whenever necessary; also to determine the class books and course of studies to be used in said schools, and to make rules and regulations for the government of said schools. 4. To determine the manner in which the tax heretofore authorized, and the two mill constitutional and poll tax provided by law shall be expended in maintaining said public schools. 5. To fill all vacancies occurring in said Board of Trustees by death, resignation, removal or otherwise during their term of office or service.

Powers of meeting.

Additional tax.

Tax unrepayable.

Board of trustees.

Powers of board.

School lots and houses.

Teachers.

Studies.

Discipline.

Disbursement of tax.

Vacancies.

SEC. 5. That it shall be the duty of the Chairman and Secretary of said public meeting to keep a record of the proceedings of such public meeting, and to file the same with the Board of Trustees within one week after said meeting has been held;

Record of meeting.

- A. D. 1891.** and within the same time to notify the Auditor of said County of the amount of the tax thus levied and how it has been appropriated, and the County Auditor shall at once assess such tax on all real and personal property returned in said school district, and the County Treasurer shall collect the same with the State and County taxes, and such tax shall be a lien on all property until paid, and defaulting taxpayers shall be liable to like process and penalties as defaulters for State and County taxes.
- Notification, assessment, and collection of tax.**
- Lien and penalties.**
- Disbursement of taxes.** SEC. 6. That the money collected from said tax levy, and the Constitutional poll and two mill tax to which the said district is entitled under the general provisions of the law, shall be held by the County Treasurer and paid out on warrants drawn by the Trustees of said school district, countersigned by the County School Commissioner, and said Treasurer shall be liable to the said school district for the non performance of duty in respect to said money in the same manner and to the same extent and under like penalties as for non-performance of his duties in reference to State and County taxes.
- Liability of treasurer.**
- Present board of trustees.** SEC. 7. That the School Trustees now in charge of said school district, together with the Advisory Committee, elected at the last public meeting in said school district, be, and are hereby, authorized and required to act; and they together shall constitute the Trustees of the said school district, with all the powers herein conferred, until the selection of Trustees provided for in this Act.
- When to take effect.** SEC. 8. That this Act shall take effect immediately after its approval, and all Acts or parts of Acts inconsistent with, repugnant to, or supplied by, this Act are hereby repealed.
- Repealing clause.**
- Approved December 16th, A. D. 1891.

No. 949. AN ACT TO AUTHORIZE THE CITY COUNCIL OF ORANGEBURG TO ISSUE BONDS FOR RAILROAD PURPOSES.

Subscription to railroads authorized. SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Mayor and Aldermen of the City of Orangeburg are hereby authorized and empowered to subscribe to the capital stock of*

one or more railroad companies at one or more elections as hereinafter provided, and in such sums as may be determined by the qualified electors of said City of Orangeburg, provided the total sum or sums so subscribed shall not exceed the sum of fifty thousand dollars, in such manner as hereinafter prescribed: *Provided*, Such railroad or railroads shall run to or through the said City of Orangeburg.

A. D. 1891.

To be fixed by
election.
Limit.

Route.

SEC. 2. That for the purpose of determining whether or not said subscriptions shall be made, it shall be the duty of the Mayor of Orangeburg, at any time, upon the application of a majority of the owners of real property residing within the corporate limits of said city, to order an election, specifying the time, place, and purpose of the same, and to appoint three managers, who shall hold and conduct such election or elections, at which said election or elections the ballots shall have written thereon the words "Subscription" or "No Subscription," and the name of the "Railroad Company." That the notice hereinbefore provided for shall be given not less than ten days before said election in one or more newspapers published in said County of Orangeburg, and all qualified electors residing within the corporate limits of the said City of Orangeburg shall be entitled to vote at said election or elections; and it shall be the duty of the managers to count the votes and declare the result as in other elections, which result shall be certified in writing by the Chairman of the Board of Managers to the Mayor of said City of Orangeburg, and the Board of Aldermen thereof, within five days after said election shall have been held.

Petition for
election.Notice of
election.

Ballots.

Electors.

Declaration of
result.

SEC. 3. That in case a majority of the ballots cast shall be in favor of subscription to any railroad running to or through Orangeburg, then the said Mayor and Aldermen shall be authorized and empowered to subscribe to the capital stock of such railroad company as the voters at such election shall determine: *Provided*, No subscription shall be made to the capital stock of any railroad company until the line is completed to the said City of Orangeburg, and is received by the Railroad Commission of said State, and no subscription shall be refused by said Mayor and Aldermen when so authorized to be made by said electors.

Subscription to
capital stock.Road to be first
built.Subscription
not to be re-
fused.

Issue of bonds.

SEC. 4. That said subscriptions shall be made in bonds of the City of Orangeburg, which the said Mayor and Board of Aldermen are hereby authorized and directed to issue; that said bonds shall be in denomination of five hundred dollars each, and be signed by the Mayor of said city and countersigned by the City Clerk and Treasurer, and shall be sealed with the corporate

Description, &c.

A. D. 1891. seal of said city, and numbered from one consecutively upward.
 When due. That said bonds shall become due and payable in thirty years
 Interest. from their date, shall bear interest at six per cent. per annum,
 Coupons. payable annually on the first day of January of each year, and
 each and every of said bonds shall have as many coupons at-
 tached as there shall be annual payments of interest to be paid
 on the bond, with the amount of interest falling due and the
 date when it shall become due; each coupon shall be signed by
 the City Clerk and Treasurer, and shall be receivable in pay-
 ment of any and all taxes and debts that may be levied by and
 due to the said City Council for the year in which the same
 becomes payable.

Receivable
for taxes.

Annual tax
levy to pay in-
terest.

SEC. 5. That the said City Council shall levy and collect
 annually during the thirty years the said bonds shall run,
 annually, tax sufficient to pay the interest on the said bonds, at
 the same time and in the same manner the taxes are levied and
 collected for ordinary city purposes, and with like authority
 and penalties for the non-payment of the same.

Approved December 22d, A. D. 1891.

No. 950. AN ACT TO AUTHORIZE THE CITY COUNCIL OF ORANGEBURG TO
 ISSUE BONDS FOR RAILROAD PURPOSES.

SECTION 1. *Be it enacted* by the Senate and House of Repre-
 sentatives of the State of South Carolina, now met and sitting
 in General Assembly, and by the authority of the same, That
 the Mayor and Aldermen of the City of Orangeburg are hereby
 authorized and empowered to subscribe to the capital stock of
 one or more railroad companies at one or more elections as
 hereinafter provided, and in such sums as may be determined
 by the qualified electors of said City of Orangeburg: *Provided*,
 The total sum or sums so subscribed shall not exceed the sum
 of fifty thousand dollars, in such manner as hereinafter pre-
 scribed: *Provided*, Such railroad or railroads shall run to or
 through the said City of Orangeburg.

Subscriptions
to railroads au-
thorized.

To be fixed
by election.

Limit.

Route.

Petition
for election.

SEC. 2. That for the purpose of determining whether or not
 said subscriptions shall be made, it shall be the duty of the
 Mayor of Orangeburg, at any time, upon the application of a

majority of the owners of real property residing within the corporate limits of said city, to order an election, specifying the time, place, and purpose of the same, and to appoint three managers who shall hold and conduct such election or elections, at which said election or elections the ballots shall have written thereon the words "Subscription," or "No Subscription," and the name of the "Railroad Company." That the notice hereinbefore provided for shall be given not less than ten days before said election in one or more newspapers published in said County of Orangeburg, and all qualified electors residing within the corporate limits of the said City of Orangeburg shall be entitled to vote at said election or elections, and it shall be the duty of the managers to count the votes and declare the result as in other elections, which result shall be certified in writing by the Chairman of the Board of Managers to the Mayor of said City of Orangeburg and the Board of Aldermen thereof, within five days after said election shall have been held.

SEC. 3. That in case a majority of the ballots cast shall be in favor of subscription to any railroad running to or through Orangeburg, then the said Mayor and Aldermen shall be authorized and empowered to subscribe to the capital stock of such railroad company as the voters at such election shall determine: *Provided*, That no subscription shall be made to the capital stock of any railroad company until the line is completed to the said City of Orangeburg and is received by the Railroad Commission of said State, and no subscription shall be refused by said Mayor and Aldermen when so authorized to be made by said electors.

SEC. 4. That said subscriptions shall be made in bonds of the City of Orangeburg, which the said Mayor and Board of Aldermen are hereby authorized and directed to issue; that said bonds shall be in denomination of five hundred dollars each, and be signed by the Mayor of said city and countersigned by the City Clerk and Treasurer, and shall be sealed with the corporate seal of said city, and numbered from one consecutively upward. That said bonds shall become due and payable in thirty years from their date; shall bear interest at six per cent. per annum, payable annually on the first day of January of each year, and each and every of said bonds shall have as many coupons attached as there shall be annual payments of interest to be paid on the bond, with the amount of interest falling due and the date when it shall become due; each coupon shall be signed by the City Clerk and Treasurer, and shall be receivable

A. D. 1891.

Notice of
election.

Ballots.

Electors.

Declaration
of result.

Subscription to
capital stock

Road to be
first built.

Subscription
not to be refused.

Issue of bonds.

Description. &c.

When due.

Interest.

Coupons.

Receivable
for taxes.

A. D. 1891.

in payment of any and all taxes and debts that may be levied by and due to the said City Council for the year in which the same becomes payable.

Annual tax
levy to pay in-
terest.

SEC. 5. That the said City Council shall levy and collect annually, during the thirty years the said bonds shall run, an annual tax sufficient to pay the interest on the said bonds, at the same time and in the same manner the taxes are levied and collected for ordinary city purposes, and with like authority and penalties for the non-payment of the same, and shall every year during the same period, beginning in the year next after the said bonds shall have been issued, levy and collect, in addition to the ordinary taxes and the tax for the payment of the interest, an additional tax as and for a sinking fund to pay the principal of said bonds: *Provided*, That such additional tax for retiring said bonds shall in no year exceed ten cents on the one hundred dollars of property returned for taxation in said city.

Additional tax
for sinking fund.

Limit.

To be set apart
as special fund.

SEC. 6. That the tax herein authorized to be collected shall be set apart as a special fund for the purpose of paying said interest and reducing said bonds or bonded debt, and shall be used for no other purpose whatsoever: *Provided*, That said Mayor and Board of Aldermen may from year to year use as much of said fund as is not required for the payment of the annual interest in the purchase of said bonds, when the same can be bought at or below par: *Provided, further*, That should the said City Council be unable to buy said bonds at or below par, then they shall invest the moneys collected for retiring said bonds in safe interest-bearing securities until the maturity of said bonds.

Purchase
of bonds.

Investments.

Cancellation
of coupons.

SEC. 7. That as fast as said coupons are paid, and said bonds may be purchased or paid, they shall be cancelled by the City Clerk and Treasurer in the presence of the City Council, and shall be filed, and a registry of such bonds as are purchased or paid and cancelled shall be kept by the said City Clerk and Treasurer.

Registry
of bonds.

Public Act.

SEC. 8. This Act shall be a public Act.

Approved December 22d, A. D. 1891.

AN ACT TO INCORPORATE THE TOWN OF PREWITTS IN ORANGE-
BURG COUNTY.

A. D. 1891.

No. 931.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States who now are, or hereafter may be, inhabitants of the Town of Prewitts shall be deemed and are hereby declared to be a body politic and corporate; and that said town shall be known by the name of Prewitts, and the limits shall extend one-half mile in every direction from the depot of the South Bound Railroad Company, so that the limits shall form a circle.

Incorporation.

Name and limits.

SEC. 2. Said Town of Prewitts shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in, an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved December 23d, A. D. 1885.

Rights and limitations.

19 Stat., 174.

SEC. 3. That the sale of spirituous, malt or intoxicating liquors be and the same is hereby prohibited within the corporate limits of said town.

Sale of liquors prohibited.

SEC. 4. This Act shall be a public Act and shall continue in force for thirty years from the date of its passage and until the final adjournment of the General Assembly thereafter.

Public Act.

Duration.

SEC. 5. This Act shall take effect immediately on its approval.

When to take effect.

Approved December 16th, A. D. 1891.

AN ACT TO AMEND AN ACT TO INCORPORATE THE TOWN OF ST. MATTHEWS, IN ORANGEBURG COUNTY. No. 952.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to incorporate the town of St. Matthews, in Orangeburg County," approved December 24th, A. D. 1888, be, and the same is hereby, amended so as to read as follows (after the enacting clause):

A. A. 1888, ante 210, amended.

A. D. 1891. Incorporation.	<p>SECTION 1. All citizens of the United States who are, and hereafter may be, inhabitants of the town of St. Matthews, in the County of Orangeburg, shall be deemed, and are hereby deemed, to be a body politic and corporate; and the said town shall be known by the name of St. Matthews, and the said town shall comprise all the territory included between the following boundary lines, to wit: North on Millwood Branch; South on Pump Branch; East by a straight line running from a point on said Millwood Branch one-half mile East of the crossing of the South Carolina Railroad to a point on Pump Branch one-half mile East from the point where the said railroad crosses said Pump Branch, and West by a straight line parallel to the line constituting the Eastern boundary, commencing from a point on Millwood Branch aforesaid at a point one-half mile West of the point where said branch is crossed by the said railroad, and extending to Pump Branch aforesaid.</p>
Annual tax.	<p>SEC. 2. That the Town Council of St. Matthews shall also have the power to impose an annual tax not exceeding one dollar on every hundred dollars of the assessed value of real and personal property lying within the corporate limits of said town, the real and personal property of churches and school associations excepted, and all property upon which a tax shall be levied by the said Council is hereby declared and made liable for payment thereof in preference to all other debts against the said property, except debts due to the State, which shall first be paid. The value of said real and personal property for the purposes of taxation shall be fixed and assessed as hereinafter provided.</p>
Exemptions. Lien.	
Assessments.	
Loans authorized.	<p>SEC. 3. That the said Town Council shall have power to borrow money for the public use of the corporation, and for such other uses as may promote the general good of the citizens, by issuing from time to time, as occasion may require, the bonds of the corporation, bearing interest at a rate not to exceed seven per centum a year, to be paid annually, for an amount not to exceed twenty thousand dollars, and for the payment of the interest and the ultimate redemption of the principal according to the terms of the loan, the said corporation shall at all times be liable; and that the said town of St. Matthews is hereby empowered and authorized, at their discretion, to use the said twenty thousand dollars, or so much as may be necessary, for the purpose of purchasing a site or sites and erecting a court house and jail thereon, and may present the said site or sites and the buildings thereon, free of all expense, to the County of</p>
Issue of bonds.	
Limit.	
Liability of corporation.	
Use of proceeds.	
Court House and jail.	

Calhoun at any time that the said County may be created and established; and that the said Town Council shall have the power to levy a tax of not exceeding ten mills on every dollar of the real and personal property within the corporate limits of the said town for the purpose of creating a sinking fund and paying the interest on the bonds for the money used for purchasing the said site or sites, and erecting the buildings thereon according to the provisions of Section 2 of this charter of the said town of St. Matthews: *Provided*, That the private property of the inhabitants of the town shall be bound for the redemption of the said loan in no other way than by the imposition of annual tax, according to the provisions of this Act.

A. D. 1891.
Sinking fund tax.

Other purposes.

Liability of taxable property.

SEC. 4. That all Acts or parts of Acts inconsistent therewith be, and the same are hereby, repealed.

Repealing clause.

Approved December 5th, A. D. 1891.

AN ACT TO INCORPORATE THE TOWN OF VANCE'S, IN THE COUNTY OF ORANGEBURG. No. 953.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all citizens of the United States and of this State, who now are or hereafter may be residents of this State for one year, and of the town of Vance's, in Orangeburg County, for sixty days, shall be deemed and the same are hereby declared to be, a body politic and corporate, and the said town shall be known and called by the name of Vance's; and the corporate limits of said town shall extend one-fourth of one mile in every direction from the point where the store of D. J. Avinger is now situated.

Incorporation.

Name and limits.

SEC. 2. That said town shall be vested with all the rights, powers and privileges, and be subjected to all the limitations and provisions, contained in an Act entitled "An Act to provide for and regulate the incorporations of towns of less than one thousand inhabitants in this State," approved December 23d, 1885.

Rights and limitations.

19 Stat., 174.

SEC. 3. This Act shall be deemed a public Act, shall go into

Public Act.

A. D. 1891. effect immediately after its approval, and shall continue in force
 When to take for a period of thirty years, or until amended or repealed.
 effect.
 Duration. Approved December 18th, A. D. 1891.

No. 954. AN ACT TO INCORPORATE THE TOWN OF WOODFORD, IN ORANGEBURG COUNTY.

Incorporation. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of the United States who are now, or hereafter may be, inhabitants of the town of Woodford, in Orangeburg County, shall be deemed, and are hereby declared to be, a body politic and corporate, and that said town shall be known by the name of "Woodford," and the limits shall extend one-half a mile in every direction from the point at which the Robinson and Gissendanner road now crosses the track of the South Bound Railroad, so that the limits shall form a circle.

Name and Limits.

Rights and Limitations. SEC. 2. That said town of Woodford shall be vested with all the rights, powers and privileges granted by, and be subject to all the limitations and provisions contained in an Act entitled "An Act to provide for and regulate the incorporation of towns less than one thousand inhabitants in this State," approved December 23d, A. D. 1885.

19-Stat., 174.

Sale of liquors prohibited. SEC. 3. That it shall be unlawful for any druggist or other person to sell any spirituous or malt liquors, or any medicated liquors of which spirituous liquors form an ingredient, within the incorporate limits of said town, upon the prescription of a physician or otherwise; and any and all persons violating the provisions of this Section shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by fine or imprisonment, or both, within the discretion of the Court; and the Town Council of said town is hereby authorized and empowered to pass such ordinances as may be deemed necessary, with appropriate penalties, to enforce the observance and punish all violations of the provisions of this Section.

Penalties.

Ordinances.

Public Act. SEC. 4. That this Act shall be deemed a public Act, and shall continue in force for thirty years from the date of its passage.

Duration.

and until the final adjournment of the General Assembly next thereafter. A. D. 1891.

SEC. 5. This Act shall take effect immediately on its approval. When to take effect.

Approved December 22nd, A. D. 1891.

NOTE.—For Act relating to Sally School District in Orangeburg County, see *ante* No. 770, p. 1206.

AN ACT TO PROVIDE A MORE EFFICIENT SYSTEM OF WORKING THE PUBLIC ROADS IN PICKENS COUNTY. No. 955.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Pickens County be, and they are hereby, authorized and required to divide the public roads of the said County into highway districts of such size as they may deem advantageous, and appoint an overseer for each district, and assign such hands to each district as they may see proper, having regard to the residence of the hands so assigned. Highway districts.
Overseer and hands.

SEC. 2. Every person so appointed overseer, unless exempt from road duty, shall be required to serve as hereinafter provided, and any person refusing or neglecting to serve when appointed shall forfeit to the County the sum of twenty-five dollars, to be applied to the permanent improvement of the roads in said County, as hereinafter directed. The term of office of such overseer shall be for two years from the date of this appointment; but such overseer shall not be compelled to serve more than one term. Overseer must serve.
Penalty for refusing.
Term of office.

SEC. 3. The County Commissioners of said County shall furnish each overseer with a list of all persons liable to road duty who are assigned to work upon the highway district over which such overseer is appointed, and it shall be his duty to warn out such hands at the time and places designated by the County Commissioners and at such times as the exigencies of the weather may necessitate. List of road workers.
Hands to be warned out.

SEC. 4. The County Commissioners shall require all persons liable to road duty in said County to work upon the public roads not exceeding eight days in each year, and it shall require Time required.

- A. D. 1891.** eight hours of actual work to constitute a day's work under this Section.
- Time table to be kept.** SEC. 5. It shall be the duty of each overseer to keep a list of the hands under his control and note the hours of actual work which each hand does, and to return to the County Commissioners after each working ordered by them a list of each hand under his control who works, and the number of hours he has actually worked. And he shall also keep a list of such hands as refuse or fail to work, and such return shall be sworn to in whole or in part, and return the same to the County Commissioners, and shall by oath attest the correctness of each list so kept and returned by him.
- Report.**
- List of defaulters.**
- Times and places.** SEC. 6. The County Commissioners shall direct the times of working said roads, and the place in each district at which work shall begin, and the overseer in each district shall proceed to work the roads under his charge thoroughly as he goes. He shall make the roads at least 16 feet wide, when practicable, and shall protect them by suitable drains or post from interference by cultivation.
- Character of roads.**
- Tools.** SEC. 7. The County Commissioners shall provide such overseers with such number of picks and scrapers as they may see proper, and such overseer shall be responsible for the custody of the same. All hands warned to work the road shall bring with them a hoe, shovel, or other farm tool, as directed by said overseer.
- General provision.** SEC. 8. The provisions of existing laws relating to the working of highways shall remain of force in said County, except so far as they may be modified by the provisions of this Act.
- Approved December 24th, A. D. 1891.

No. 956. A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE SCHOOL COMMISSIONER OF PICKENS COUNTY TO APPORTION SCHOOL FUND OF 1891 AND 1892 ACCORDING TO AVERAGE ATTENDANCE FOR FIRST MONTH OF SAID FISCAL YEAR.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

the County School Commissioner for the County of Pickens be authorized and required to apportion the two mill school tax for the County of Pickens among the school districts now formed or hereafter to be formed, for the fiscal 1891-1892, upon the basis of the average attendance of the schools of his County for the first month of said fiscal year.

A. D. 1891.

Apportionment
of school tax.

Approved December 24th, A. D. 1891.

A JOINT RESOLUTION AUTHORIZING THE COUNTY COMMISSIONERS OF PICKENS COUNTY TO APPROVE AND DRAW THEIR WARRANTS ON THE COUNTY TREASURER, AND HE TO PAY SAME, OF SUNDRY CLAIMS THEREIN MENTIONED. No. 957.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Pickens County be, and they are hereby, authorized and empowered to approve the following claims against said County, to wit, one in favor of John R. Gossett for services as Trial Justice for fiscal year 1887 and 1888 for thirty-one and 25-100 dollars; one in favor of B. D. Garvin for services as Trial Justice in said County for fiscal year 1888 and 1889, for thirty-one and 25-100 dollars; and one for Walker, Evans and Cogswell Company for sixty-three and 70-100 dollars.

County claims
to be approved.

SEC. 2. That when approved, they then draw their warrants on the County Treasurer for same, and that the County Treasurer pay the same out of the ordinary County funds collected for fiscal year commencing November 1st, 1890.

Issue and pay-
ment of war-
rants.

Approved December 22nd, A. D. 1891.

A. D. 1891. **AN ACT TO CHANGE THE VOTING PRECINCT OF "ESTATOE," IN**
PICKENS COUNTY, TO "MARTIN'S STORE."
 No. 958.

Change of vot-
ing precinct.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same.* That the voting precinct known as "Estatoe," in Pickens County, be, and the same is hereby, changed, and "Martin's Store," in the same township, shall hereafter be the voting precinct in place and stead of the former.

Exchange of
registration cer-
tificates.

SEC. 2. That the Supervisor of Registration is hereby authorized and directed to exchange the registration of such electors as may apply to him for that purpose from the other precinct to the one established by this Act whenever it shall appear to him that the elector so applying resides within a reasonable distance from the same.

Approved December 23rd, A. D. 1891.

No. 959. AN ACT TO PROVIDE FOR THE ISSUING AND PAYMENT OF TOWNSHIP AND TOWN BONDS IN AID OF THE PICKENS RAILROAD.

Preamble.

Recital of ap-
plication for
township elec-
tion.

And for town
election.

Recital of
election.

Whereas, a majority of the owners of real estate in the townships of Pickens, Hurricane, and Eastatoe, in the County of Pickens, did petition the County Commissioners of Pickens County to submit to the voters of said townships the question of subscription to the Pickens Railroad Company in bonds bearing interest at the rate of seven per cent. per annum, but not to be delivered to the said company till said railroad is completed from the town of Easley to the town of Pickens, and trains running on the same. *And whereas*, a majority of the land owners of the town of Easley, in said County, did at the same time petition the corporate authorities of said town to submit the same question to the voters of the town of Easley under similar conditions. *And whereas*, under and by virtue of an order of the said County Commissioners, and of the corporate authorities of the town of Easley, an election was held on the 14th day of November, 1891, whereby the said township of Pickens by its vote expressed its willingness to subject itself to taxation for

the purpose of paying bonds to be issued by it in aid of said railroad in the sum of ten thousand dollars, (\$10,000,) and the townships of Hurricane and Eastatoe, for the same purpose, and at the same time, by their vote expressed their willingness to tax themselves in the sum of three thousand and five hundred dollars (\$3,500) each, and at the same time, and in the same way, the town of Easley expressed its willingness to be taxed in aid of the said railroad in the sum of three thousand dollars (\$3,000). Now, therefore, for the purpose of carrying into effect the expressed will of the people of said townships and town:

A. D. 1891.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Chairman of the Board of County Commissioners for Pickens County, or other officer discharging such duties, be, and he is hereby, authorized and required to subscribe to the capital stock of said railroad company, in behalf of Pickens township, the sum of ten thousand (\$10,000) dollars, in behalf of Hurricane township the sum of three thousand and five hundred (\$3,500) dollars, and in behalf of Eastatoe township the sum of three thousand and five hundred (\$3,500) dollars, and the Town Council of the town of Easley is hereby authorized and required to subscribe to the capital stock of said company the sum of three thousand (\$3,000) dollars, which subscription shall be in seven per cent. coupon bonds, the interest payable annually, said bonds to be made payable twenty years after the date thereof, and to be of the denomination of one hundred (\$100) dollars, five hundred (\$500) dollars, and one thousand (\$1,000) dollars, which shall be received by said company at par.

Township subscription authorized.

Subscription by town of Easley authorized.

Description of bonds.

SEC. 2. That said bonds shall not be issued and delivered to the said railroad company until the railroad is completed from the corporate limits of the town of Easley to and within the corporate limits of the town of Pickens and trains are running thereon; at which time the said bonds shall be delivered to the Treasurer of said railroad company.

Road to be completed before delivery made.

SEC. 3. That the said townships and town bonds, when issued as aforesaid by the County Commissioners, as agents for said townships, and by the Town Council of the town of Easley for said town, in aid of the said railroad, are hereby declared to be debts of said townships and said town, respectively, in the amounts which they have authorized the issuing of the same.

Declared to be debts of the corporations.

A. D. 1891.

Tax to pay annual interest on township bonds.

R. R. tax.

Collection and disbursement.

Tax to pay interest on bonds of Easley.

R. R. tax.

Tax to pay principal.

Accumulation of sinking fund.

Use of sinking fund.

Investment.

When to take effect.

SEC. 4. That for the payment of the interest on said township bonds, the County Auditor of Pickens County, or other officer discharging such duties, is hereby authorized and required to assess annually upon the property of each of said townships such per centum as may be necessary to pay said interest on said bonds, which shall be known and styled in the tax books as said railroad tax, which shall be collected by the Treasurer of said County under the same regulations as are now, or may hereafter be, provided by law for the collection of taxes in said County, and which shall be paid over by the said Treasurer to the holders of the coupons of said bonds as the said interest shall become due: and for the payment of the interest on the bonds subscribed by the town of Easley, the Town Council of said town are hereby authorized and required to assess annually upon the property of said town such per centum as may be necessary to pay said interest on said bonds, which shall be known as the railroad tax, at the same time and manner as other municipal taxes are collected, and shall be applied to the payment of said interest: *Provided*, That within ten years of the time said bonds shall fall due the money to pay the same shall be raised by taxation in the same manner and paid out by the County Treasurer and Town Council as provided above for the payment of the annual interest.

SEC. 5. That for a period of twenty years from the date of the issue of said bonds the County tax levied upon the said Pickens Railroad Company shall be paid by the County Treasurer to the County Commissioners of Pickens County, or to any person or persons who may exercise the powers now possessed by the County Commissioners, and shall be held by them as a sinking fund for the purpose of meeting the principal of said bonds at maturity. Said sinking fund to be invested in the purchase of such bonds from time to time whenever such purchase shall be practicable. And if no such purchase can be made, or if to make such purchase too large a premium be required, then the sum in said sinking fund be invested in State stock, to be made out in the name of the County Treasurer of Pickens County. for the time being, "for the use of the sinking fund of the Pickens Railroad bonds," to be held for the redemption of the railroad bonds authorized by this Act.

SEC. 6. That this Act shall take effect immediately on its approval.

Approved December 22nd, A. D. 1891.

AN ACT TO AUTHORIZE AND REQUIRE THE TOWN COUNCIL OF THE TOWN OF CENTRAL, IN PICKENS COUNTY, TO OPEN A NEW STREET IN SAID TOWN.

A. D. 1891.

No. 960.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Town Council of the Town of Central, in Pickens County, be, and they are hereby, authorized to open a new street through said Town on the south side of the railroad track of the Atlanta and Charlotte Air Line Railroad Company, within three months after the approval of this Act.

New street in Central to be opened.

SEC. 2. That should the said Town Council fail or refuse to open the said street as provided in Section one of this Act, then, that the County Commissioners of the County of Pickens be and they are authorized to open said street in said Town, hereby giving and granting to them the same powers to open the said street as they now have, to open and lay out highways in their said County.

Duty of county commissioners.

Approved December 16th, A. D. 1891.

NOTE.—For Act relating to sale of domestic wine in Pickens. See *ante* No. 762, p. 1194.

For Act prohibiting sale of liquor within ten miles of Clemson Agricultural College. See *ante* No. 785, p. 1233.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF RICHLAND COUNTY TO SELL THE OLD COUNTY ALMSHOUSE AND INVEST THE PROCEEDS OF SAID SALE IN THE IMPROVEMENT OF THE ALMSHOUSE PROPERTY NOW IN USE.

No. 961.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Richland County be, and they are hereby, authorized and empowered at public or private sale, at such time and on such terms as to them may seem best, to sell and convey the following described property, to wit: All that tract of land situated about eight miles north of the city of Columbia, known as the Old County Almshouse, containing

Sale of property authorized.

Description.

A. D. 1891.

Proceeds ap-
propriated to
almshouse.

sixty-three (63) acres, more or less, and bounded by lands of W. H. Stack, John B. Dent and others.

SEC. 2. That the said County Commissioners are authorized and empowered to use the proceeds of said sale in the improvement of the County Almshouse now in use, which is located just beyond the limits of the city of Columbia.

Approved December 22nd, A. D. 1891.

No. 962. AN ACT TO CONFER UPON THE KEEPER OF ELMWOOD CEMETERY POWER TO ARREST OFFENDERS WITHIN THE LIMITS OF SAID CEMETERY WITHOUT WARRANTS.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the keeper of Elmwood Cemetery, located in the suburbs of the city of Columbia, So. Ca., be, and is hereby, authorized to arrest without warrant any person or persons who may be found committing any trespass to the property of said corporation, or who shall be guilty of any indecent, unbecoming behavior or violation of any of the posted rules of said corporation, within the said cemetery enclosure, and to take such person or persons when arrested before the nearest Trial Justice, to be dealt with according to law.

Arrest on sight.

Offences.

Disposition
of prisoners.

Approved December 22nd, A. D. 1891.

No. 963. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE BUILDING AND INVESTMENT ASSOCIATION OF COLUMBIA," APPROVED DECEMBER 24TH, 1888.*

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

*An exact duplicate of this Act was approved December 18th, 1891.—EDITOR.

Section 11 of said Act be amended by striking out the following words: "And thereupon the Board of Directors shall within a reasonable time declare such dividend of the profits as shall have been made during the preceding six months upon the unredeemed shares; the dividends upon fully paid up shares to be paid in cash, and upon shares not paid up in full to be *pro rata* passed to the credit of the holder thereof." So that said Section shall read as follows:

"SECTION 11. It shall be the duty of the Board of Directors, on the first days of January and July in each and every year after the organization of the corporation, to make a report of the affairs of the corporation, which shall be recorded on the books of the minutes of the stockholders' meetings."

Approved December 16th, A. D. 1891.

AN ACT TO INCORPORATE THE "CANAL DIME SAVINGS BANK" OF COLUMBIA, SOUTH CAROLINA. No. 964.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. J. Murray, Silas J. Duffie, William J. Keenan, M. H. Moore and Edwin W. Robertson, together with such other persons as now are or hereafter may be associated with them, shall be, and they are hereby, constituted and made a body corporate and politic, under and by the name of the "Canal Dime Savings Bank," to be located in Columbia, South Carolina.

SEC. 2. The parties aforesaid shall have the power to raise by subscription a capital for said corporation of thirty thousand dollars in twelve hundred shares of twenty-five dollars each: *Provided, however,* That a majority of the Board of Directors of said corporation shall have the power of increasing the said capital stock to any extent not exceeding one million dollars whenever they deem proper so to do, and the said corporation shall by its laws or Board of Directors provide for the manner of raising and distributing such additional capital stock.

SEC. 3. That the duration of the charter hereby granted shall be for the term of thirty years, and until the final adjournment of the General Assembly next thereafter.

A. D. 1801.	SEC. 4. That said corporation shall have, and is hereby vested
Rights and limitations.	with, all the powers, rights and privileges, and is hereby sub-
19 Stat., 212.	ject to all the liabilities and restrictions, contained in the Act
Exceptions.	entitled "An Act to provide for and regulate the incorporation
	of banks in this State," approved December 24th, 1885, except
	where the same provides that no more than an amount equal
	to one-half of the capital stock of said Bank shall be invested
	in mortgages of real estate at any one time, and except in so
	far as the said Act or any part thereof is inconsistent with the
	provisions of this Act or any part thereof.
Deposits and investments.	SEC. 5. That the said corporation shall also have power to re-
	ceive money on deposit, to allow interest thereon, and to invest
	such deposits, their capital stock and other funds in bank or
	other stocks, in bonds, notes, bills, choses in action and other
Loans.	securities, and in the bonds or stocks of any city in this or any
	other State of the United States; or the same to lend on real
	estate, secured by mortgage or otherwise, or on the pledge of
Property rights.	gold and silver, bonds, notes, bills, stocks, choses in action, and
	securities of all or any kind; and shall be capable of taking,
	holding and disposing of their capital stock and all other pro-
	perty of every kind, according to such rules and regulations as
	they may from time to time establish; and also of taking, hold-
	ing, dividing, disposing of or investing the increase, profits or
Real and personal property.	emoluments, or their capital stock or other property as afore-
	said; and shall have the right and power to acquire, purchase,
	take and hold in their corporate name, lands, real estate or per-
By laws.	sonal property, and the same to grant, sell, mortgage, exchange
	and convey in fee simple or otherwise. The business and pro-
	perty of the said corporation shall be managed and disposed of,
	and dividends of the profits of the business of the corporation
	shall be made and declared in such manner as may be prescribed
	by the rules and by-laws of said corporation.
Voting by stockholders.	SEC. 6. Each stockholder shall have one vote for each share
	of the capital stock of the said corporation he may own or rep-
	resent at all elections and all meetings of the company, and the
Proxies.	board of directors of the said corporation are authorized to make
	such regulations as may be deemed proper for the representa-
	tion by proxy of such stockholders as may be absent at such
	elections and meetings.
Shares of stock.	SEC. 7. The capital stock of said corporation shall be deemed
	personal property; and the said corporation shall have
	authority in its by-laws, or by the board of directors, to make
	all such regulations as may be deemed necessary and proper for

the issuing and transfer of such stock, or for collecting and enforcing by sale or otherwise all subscriptions made thereto.

A. D. 1891.

SEC. 8. The said corporation shall have power to enforce upon their members the due observance of all rules and by-laws for the government and management of the affairs of the corporation, and to this end, if need be, shall and may institute and maintain in their corporate name against any one or more of their members all necessary suits, actions, and pleas for the recovery of any sum or sums of money to the use of the said corporation, in as ample a manner as such suits might be maintained against persons not members of said corporation.

Liability of members.

Suits against stockholders.

SEC. 9. When any deposit is made by a person being a married woman or a minor, the said corporation may pay to such person such sum or sums so deposited on the check, order or receipt of such depositor, which said check, order or receipt shall be a lawful discharge therefor.

Deposits by married women and minors.

SEC. 10. That this Act shall be deemed and taken as a public Act, shall be judicially taken notice of without special pleading, and shall take effect immediately upon its approval.

Public Act.

When to take effect.

Approved December 22d, A. D. 1891.

AN ACT TO AUTHORIZE THE CONSOLIDATION OF THE "COLUMBIA ELECTRIC STREET AND SUBURBAN RAILWAY AND ELECTRIC POWER COMPANY" AND THE "CONGAREE GAS AND ELECTRIC COMPANY," UNDER THE NAME OF "THE COLUMBIA ELECTRIC STREET RAILWAY, LIGHT AND POWER COMPANY," AND TO CONFER UPON THE CONSOLIDATED COMPANY ALL OF THE FRANCHISES AND POWERS CONFERRED BY CHARTER UPON THE CONSOLIDATING COMPANIES, AND ALSO THOSE CONFERRED BY CHARTER UPON "THE COLUMBIA STREET RAILWAY COMPANY" WHICH SAID CONSOLIDATED COMPANY IS TO PURCHASE.

No. 965.

Whereas, the "Columbia Electric Street and Suburban Railway and Electric Power Company" and the "Congaree Gas and Electric Company" have agreed to consolidate the property, franchises and privileges owned and held by them, the consolidated company to be known as "The Columbia Electric Street Railway, Light and Power Company," which consolidated com-

Preamble.

A. D. 1891.

pany is to acquire the property, franchises and privileges of "The Columbia Street Railway Company." Now therefore,

Consolidation
authorized.How to be
effected.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the "Columbia Electric Street and Suburban Railway and Electric Power Company" and the "Congaree Gas and Electric Company" be, and they hereby are, authorized to consolidate their property, franchises and privileges into one company, under the name of "The Columbia Electric Street Railway, Light and Power Company," such consolidation to be effected by a deed of indenture, to be executed by the two consolidating companies, declaring their intention so to consolidate, and transferring to said consolidated company all of the property, franchises, rights and privileges owned or held by each of them respectively.

Rights of con-
solidated com-
pany.

19 Stat., 1103.

Ante 969.

Liabilities.

Authorized to
purchase Colum-
bia street rail-
way.

17 Stat., 876.

Proviso.

Issue of bonds
to stockholders.

SEC. 2. That upon such consolidation "The Columbia Electric Street Railway, Light, and Power Company" shall be vested with all the rights, franchises, powers, and privileges conferred upon the consolidating companies by an Act entitled "An Act to incorporate the Congaree Gas and Electric Company," approved December 24, A. D. 1887, and by an Act entitled "An Act to incorporate the Columbia Electric Street and Suburban Railway and Electric Power Company," approved December 24, A. D. 1890, or any Acts amendatory thereof, and that said consolidated company be subject to all of the debts and liabilities of the two consolidating companies; and that said consolidated company be authorized and empowered to purchase and acquire the property, franchises, and privileges of "The Columbia Street Railway Company," and upon such purchase said consolidated company be vested with all the rights, powers, franchises, and privileges conferred by an Act entitled "An Act to incorporate the Columbia Street Railway Company," approved February 9th, A. D. 1882; but such purchase to be without prejudice to creditors of The Columbia Street Railway Company to enforce their rights against said Columbia Street Railway Company.

SEC. 3. That for the purpose of the consolidation and purchase herein authorized, said "The Columbia Electric Street Railway, Light and Power Company" shall be authorized and empowered to issue seventy-five thousand dollars of paid up capital stock, in seven hundred and fifty shares of one hundred dollars each, to be divided in such proportions as may be agreed upon between the two consolidating companies for distribution

among their respective stockholders; and may also issue mortgage or coupon bonds, not to exceed one hundred and fifty thousand dollars, bearing interest at a rate not exceeding seven per centum per annum, to be sold and the proceeds applied as agreed upon; and may, for other purposes of the company, from time to time, issue additional mortgage or coupon bonds to bear such rate of interest as may be agreed upon; and the said company shall have the power, in order to secure any or all bonds issued by it, to secure the same by a mortgage or mortgages of its property and franchises.

A. D. 1891.
Other bonds and mortgages.
Additional securities.

SEC. 4. That said company may purchase and hold any real estate for the purpose of improvement that may be deemed advisable, in or near the city of Columbia, and the same may sell, lease, or mortgage.

Real estate.

SEC. 5. That upon the consummation or completion of the consolidation of the said companies as is provided for in this Act, the organization of the consolidated company shall be completed by the election of a Board of Directors from among the stockholders in said consolidated company as may be agreed upon. The Board of Directors thus elected shall continue in office for one year, and until their successors shall be duly elected, and thereafter there shall be annual meeting of the stockholders of said company, at which directors shall be chosen, whose term of office shall be as above provided.

Board of Directors.
Term of office.
Annual meetings.

SEC. 6. That the duration of the charter hereby granted shall be for the term of fifty years, and until the final adjournment of the General Assembly next thereafter.

Duration of charter.

SEC. 7. That this Act shall be taken and deemed as a public Act, and shall take effect immediately upon its approval.

Public Act.
When to take effect.

Approved December 16th, A. D. 1891.

A. D. 1891. **AN ACT TO CHANGE THE NAME AND AMEND THE CHARTER OF**
 No. 966. **THE "SOUTH CAROLINA PRESBYTERIAN INSTITUTE FOR YOUNG LADIES."**

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of the "South Carolina Presbyterian Institute for Young Ladies" be, and the same is hereby, changed to the "Presbyterian College for Women."

SEC. 2. That the said corporation shall have power to grant diplomas to and confer degrees upon the graduates of said college.

Approved December 16th, A. D. 1891.

No: 967. AN ACT TO INCORPORATE "THE UNION BANK OF SOUTH CAROLINA AND LONDON."

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Alexander Hamilton Gunn, W. T. C. Bates, J. E. Tindal, T. A. McCreery, S. A. Pearce, B. B. McCreery, W. B. Lowrance, Robt. W. Shand, J. S. Muller, Wm. H. Lyles, J. Wm. Stokes, W. D. Evans, D. P. Duncan and J. W. Bowden be, and they hereby are, created a body politic and corporate, under the name of "The Union Bank of South Carolina and London."

SEC. 2. That the registered offices of the company shall be located in the city of Columbia, South Carolina, and England.

SEC. 3. That the objects for which the company is established are: 1. To carry on the business of banking in all its branches; the undertaking and executing of the office of trustee, executor, receiver and liquidator, and the undertaking and executing of all kinds of trust, both public and private, and the performing and carrying out of the various kinds of business incident to and connected therewith, either gratuitously or otherwise.

2. The acting as agents for the holders of American and foreign shares, bonds and other securities, in the purchase, sale, registration and transfer of such securities, and in collecting and paying over dividends thereon, and generally in protecting

and representing their interests in regard to such securities. 3. The acting as agents for joint stock and other companies, whether domiciled in the United States of America, in Great Britain, Canada or elsewhere, in the issue of their shares, stock, bonds, debentures and debenture stock, and the undertaking and guaranteeing to the holders the due payment of principal and interest of debentures and debenture stock, and the making of loans upon the security thereof, either to private persons or public companies. 4. The receiving, holding and taking charge of moneys lodged as margins on commercial operations. 5. The acquiring of property in South Carolina, London and elsewhere, and the erection and improvement of buildings thereon, and the using, letting, underletting or otherwise dealing with the same property and buildings for the purpose of offices or trade. 6. The using for purposes of storage, gratuitously or otherwise, letting on hire and otherwise disposing of safes, strong rooms and other receptacles for the storage and safe keeping of movable property of all kinds. 7. The receiving on deposit, gratuitously or otherwise, for safe custody, money, securities for money, documents of or relating to title to property of all kinds, bullion, jewelry, pictures, plate and other articles of value, goods, cattle and movable effects of all kinds. 8. The wholly or partially insuring or guaranteeing all articles and things deposited with the company for safe custody against loss or injury by or through robbery, fire or other accidents, perils and risks, and generally to carry on the business of insurance, (but not of life assurance,) with full power to effect reinsurances and counter-insurances, as may seem expedient. 9. The issuing of warrants and documents of title against deposits of all kinds made with the company. 10. The receiving money on deposit at interest or otherwise, and the making of loans and advances to depositors and others upon the security of warrants and documents of title issued by the company, and upon any other security, and generally to lend money on such terms as may seem expedient, subject to the usury laws of the State, and carry on financial operations of every kind. 11. The acting as agents to and for depositors and others in and about effecting sales, purchases, and exchanges of any property deposited with the company for safe custody or by way of security, and in collecting, paying and remitting interest, dividends and other moneys. 12. The acquiring, purchasing, leasing and otherwise of all such land, buildings and accessories, rights and privileges as may be required for the purposes of the company.

A. D. 1891.

Agents for companies.

Loans and guaranties.

Margins.

Buildings, &c.

Safe-deposits, &c.

Special deposits.

Insurance and guaranty.

Exception.

Warrants of title.

General deposits.

Loans.

Other agencies.

Property rights.

A. D. 1891.

**Negotiable
Instruments.
Amalgamations.**

Sales, leases, &c.

**Loans,
mortgages, &c.**

Other business.

Investments.

**Sales, &c.,
of property.**

Sale of under-
takings, &c.

Registry in other countries.

Incidental powers.

Liability of stockholders.

Capital stock.

Founders' shares.

3. The making, accepting, endorsing and executing promissory notes, bills of exchange and other negotiable instruments. 14. The making and carrying into effect arrangements with respect to the union of interests or amalgamation, either in whole or in part, or in with any other company, or person or persons, carrying on any business which the company is authorized to carry on; selling and transferring, or leasing, all or any part of the property or business of the company, and acquiring and dealing with or disposing of any stock or shares or securities of any other company doing business or otherwise connected with the company. 15. The borrowing money and making and issuing mortgages, obligations and other securities for money, and ordinary preference and guarantee shares, and paying off, redeeming and accepting surrenders of any such securities or shares. 16. The carrying on of any other business which may seem to the company capable of being conveniently carried on in connection with the above, or calculated to enhance the value of or render profitable any of the company's property or rights. 17. To invest or deal with the moneys of the company not immediately required upon such securities and in such manner as may from time to time be determined. 18. To sell, improve, manage, develop, lease, mortgage, dispose of and to account for otherwise deal with all or any parts of the property of the company. 19. To sell the undertaking of the, company, or any part thereof, for such consideration as the company may think fit, and in particular for shares, debentures or securities of any other company having objects altogether or in part similar to those of this company. 20. To procure the company to be registered or recognized in any foreign country or place. 21. Doing all such things as are incidental or conducive to the attainment of the above objects.

SEC. 4. The liability of the members is limited to the amount subscribed by them and five per cent. in addition thereto.

SEC. 5. The nominal capital of the company is five million (\$5,000,000) dollars divided into shares of five hundred (\$500) dollars each, of which fifty (50) shall be founders' shares, and the remaining shall be ordinary shares.

SEC. 6. The first fifty (50) shares, Nos. one (1) to fifty (50), shall be founders' shares, and the subscribers thereto shall, in addition to paying up the nominal amount of such shares, bear and pay *pro rata*, according to the number of founders' shares subscribed by them respectively, all preliminary expenses of the company whatsoever up to the date of the first general allot-

ment of shares to persons other than the founders, except the usual brokerage. The holder of each founders' share shall also subscribe for ordinary shares, but shall not be entitled in the first allotment of shares to any preference therein over any other applicant for ordinary shares.

A. D. 1891.

Rights of holders.

SEC. 7. That the rights of the members shall be as follows: Rights of members.

(a) There shall be set aside out of the net profits of the company such sum or sums as the directors think proper for forming or keeping up one or more reserve for depreciation, for sinking or suspense fund or funds, either to meet contingencies or in reference to the company's guarantee deposit notes or unexpired policies of insurance, or for equalizing dividends, or for repairing, improving, and maintaining any of the property of the company, or for such other purpose as the directors shall in their absolute discretion think conducive to the interests of the company. Such fund or funds shall be applied for the purpose for which the same shall have been set aside as and when the directors shall determine, and, subject thereto, shall belong, as to one moiety thereof, to the holders of founders' shares, and as to the other moiety thereof to the holders of ordinary shares: *Provided, always,* That no division of any such fund shall be made among the holders of founders' shares or ordinary shares unless and until a special resolution to that effect shall have been passed by the company and the founders shall have given their consent thereto in manner provided by the articles. (b) Subject to the provisions to be arranged by a subsection, there shall be paid out of the net profits of the company in each year to the holders of the ordinary shares a dividend at the rate of seven (7) per cent. per annum on the amount paid up thereon for the time being. (c) Of the net profit of the company remaining after payment of the dividend provided for by subsection aforesaid, one moiety shall belong to the holders of the founders' shares. (d) Of the remaining moiety there shall be paid to the directors, by way of further remuneration, such a percentage as shall be determined by the articles, and the residue shall belong to the holders of ordinary shares. (e) All net profits divisible amongst the holders of the founders' shares and of the ordinary shares respectively, and all other sums of money (if any) which may at any time become divisible amongst the holders of the said founders' shares and of the ordinary shares respectively, shall be divided amongst the holders of each such class of shares *pro rata* according to the number of shares held and the amount paid up thereon for the

Reserve for depreciation and sinking fund.

Ownership of such fund.

Provision as to division.

Dividends.

Profit in excess of dividends.

Payment to directors.

To holders of ordinary shares.

Division to be *pro rata*.

A. D. 1891.
 Issue of additional shares.

time being: *Provided*, That any such division shall be subject to subsection () hereof. (f) Any of the original shares, and any new shares from time to time to be created, may (but subject always and without prejudice to the rights of the holders of 'the founders' shares) from time to time be issued with any such guarantee, or any such right of preference, whether in respect of dividend or of repayment of capital, or both, or any such other special privilege or advantage over any shares previously issued, or then about to be issued, or at such a premium, or with such deferred rights as compared with any shares previously issued, or then about to be issued, or subject to any such conditions or provisions, and with any special right, or without any right of voting, and generally on such terms as the company may from time to time by special resolution determine.

Remuneration
to promoters.

SEC. 8. Said corporation shall have power to remunerate any person or company for services rendered, in placing or assisting to place, or guaranteeing the placing, of any of the shares in the company's capital stock, or any debentures or other securities of the company, or in or about the promotion of the company or the conduct of its business; to obtain any provisional order (of the Board of Trade) or Act of Parliament for enabling the company to carry any of its objects into effect; and to do all such other things as are incidental or conducive to the attainment of the above objects.

Further
authority.
Incidental
rights.

Duration.

SEC. 9. This Act shall continue in force for the period of fifty years.

Approved December 24th, A. D. 1891.

No. 968. AN ACT TO REGULATE THE TRAFFIC IN SEED COTTON IN THE COUNTY OF SPARTANBURG.

Traffic without
license prohibited.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the traffic in seed cotton by purchase, barter or exchange in the County of Spartanburg, within the periods hereinafter named, without license, is hereby prohibited.

Clerk of Court
to issue licenses.

SEC. 2. That the Clerk of the Court of Common Pleas for the

County of Spartanburg be, and is hereby, authorized and empowered to issue licenses to traffic in seed cotton by purchase, barter or exchange, within the period beginning the 15th of August and ending the 15th of December of each year, to such person or persons as shall file with said Clerk a written application therefor, for granting of which shall be recommended by at least ten land owners, resident within the township wherein said applicant intends to do business; such license shall specify the exact place whereat the said business shall be carried on, and the period within which such traffic is permitted, and shall continue in force for the space of one year from the date of issue; and for such license, if granted, a fee of three hundred dollars shall be paid by the applicant to the County Treasurer for the use of said County.

A. D. 1891.

On written application approved by land-owners.

Particulars of license.

Term.

License fee.

SEC. 3. That any person who shall hereinafter traffic in seed cotton by purchase, barter or exchange, without first having obtained a license as above provided, shall be guilty of a misdemeanor, and on conviction shall be punished for each offence by a fine of not less than one hundred dollars or by imprisonment of not less than one year, or both by fine and imprisonment, within the discretion of the Court.

Penalty for trafficking without license.

SEC. 4. That any person to whom license to traffic in seed cotton may be granted shall keep at said place of business a book in which shall be entered the date of every purchase, from whom purchased and the quantity purchased, which book shall always be open to inspection of persons applying therefor; and any person to whom a license may be granted as herein provided failing to comply with the requirements of this Section shall on conviction be liable to penalties specified in Section 3.

Book of particulars.

Open to inspection.

Penalty for failure.

SEC. 5. That nothing herein contained shall be construed to repeal, or in any wise modify, the provisions of Section 2518 of General Statutes, nor as prohibiting landlords purchasing seed cotton from their tenants and croppers.

Provisions.

Approved December 22nd, A. D. 1891.

A. D. 1891.

No. 969.

AN ACT TO ENABLE THE COUNTY COMMISSIONERS OF SPARTANBURG COUNTY TO USE SO MUCH OF THE FUNDS HERETOFORE APPROPRIATED FOR THE ERECTION OF A COURT HOUSE AS MAY BE NECESSARY FOR FURNISHING SAID COURT HOUSE AND IMPROVING THE COURT HOUSE GROUNDS, AND TO PROVIDE FOR THE DISPOSITION OF THE BALANCE OF SAID FUNDS.*

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Spartanburg County be, and they are hereby, authorized to use so much of the funds heretofore appropriated for the erection of a new court house in said County as may be necessary in furnishing said court house with proper and necessary fixtures and furniture and in improving and beautifying the court house grounds.

SEC. 2. That all the surplus that may remain of the money so appropriated after erecting and furnishing said court house and improving said grounds shall be used in paying off obligations assumed in erecting the same.

SEC. 3. That this Act take effect immediately on its approval.

Approved December 24th, A. D. 1891.

No. 970. A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS OF SPARTANBURG COUNTY TO DRAW THEIR WARRANT FOR NINETY DOLLARS TO PAY THE CLAIM OF JOHN M. NICHOLLS, SHERIFF, FOR EXPENSE INCURRED IN REMOVING A PRISONER FROM COLUMBIA TO SPARTANBURG.

Preamble.

Whereas, John M. Nicholls, Sheriff of Spartanburg County, expended the sum of ninety dollars in removing, under the protection of a strong guard, one John Williams, charged with murder, from Columbia to the jail of Spartanburg County, which removal was made by the order of his Excellency the Governor. Therefore,

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

*An exact duplicate of this Act was passed, the date of approval being also the same.—
Editor.

in General Assembly, and by the authority of the same, That the County Commissioners of Spartanburg County are hereby authorized and directed to draw their warrant for ninety dollars in favor of John M. Nicholls, Sheriff of said County, in full for expenses incurred in removing one John Williams, from Columbia to the County jail at Spartanburg, and the Treasurer of Spartanburg County is hereby authorized and directed to pay said warrant upon presentation.

A. D. 1891.
Warrant to
be drawn.

And paid.

Approved December 22nd, A. D. 1891.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO CREATE A NEW SCHOOL DISTRICT IN SPARTANBURG COUNTY TO BE KNOWN AS THE WELLFORD SCHOOL DISTRICT AND TO AUTHORIZE THE LEVY AND COLLECTION OF A SPECIAE LOCAL TAX THEREIN," APPROVED DEC. 24TH, 1890. No. 971.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to create a new school district in Spartanburg County to be known as the Wellford School District and to authorize the levy and collection of a special local tax therein," approved December 24th, 1890, be, and the same is hereby, amended by striking out the words "embraced in the following circle, to wit: Having the Richmond and Danville Railroad depot of the town of Wellford as a centre, and embracing an area described by the radius of two and one-half miles from such centre," and inserting in lieu thereof the following: "Embraced within a parallelogram constructed with the Richmond and Danville Railroad depot of said town of Wellford as its centre, with two of its sides parallel with the imaginary straight line between it and the depot of said Railroad Company of the town of Duncan, and each having the length of said imaginary line and with the other two sides perpendicular thereto, and having each a length of three miles." So that said Section, as amended, shall read as follows:

A. A. 1890, §1,
ante 1980, amended
as to area.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

Section 1,
as amended.

A. D. 1891.
 Area of school district. in General Assembly, and by the authority of the same, That all of the area in the township of Beech Springs, in the County of Spartanburg, embraced within a parallelogram constructed with the Richmond and Danville Railroad depot of said town of Wellford as its centre, with two of its sides parallel with the imaginary straight line between it and the depot of said Railroad Company of the town of Duncan, and each having the length of said imaginary line, and with the other two sides perpendicular thereto, and having each a length of three miles, be, and the same is hereby, created a special school district in the County of Spartanburg, to be known as the Wellford School District.

Creation and name.

Section 3, amended. SEC. 2. That Section 3 of said Act be amended so that said Section as amended shall read as follows:

Special school tax.

Call for school meeting.

Notice of meeting.

SECTION 3. That in addition to the rights and privileges hereinbefore granted, the said school district shall have power to levy on all real and personal property returned in said district a tax not exceeding two mills on the dollar, subject to the following provision: The School Trustees shall at any time previous to the 30th day of June of each year, upon the written request of a majority of the persons who are *bona fide* owners of real estate situated within said area, issue a call for a public meeting (after two weeks' notice) of all those citizens who return real or personal property assessed at the value of one hundred dollars or more in said district, and said notice shall be published in at least one newspaper, and posted in two public places in said district, for at least two weeks before such meeting, and shall specify time and place and object of said meeting.

Approved December 22nd, A. D. 1891.

No. 972. AN ACT TO AMEND THE FOURTH SECTION OF AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NEW SCHOOL DISTRICT IN SPARTANBURG COUNTY AND TO AUTHORIZE THE LEVY AND COLLECTION OF A LOCAL TAX THEREIN," APPROVED DECEMBER 22D, 1883.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

in General Assembly, and by the authority of the same, That Section four of an Act entitled "An Act to provide for the establishment of a new school district in Spartanburg County, and to authorize the levy and collection of a local tax therein," December 22d, A. D. 1883, be, and the same is hereby, amended so that when amended it shall read as follows:

A. D. 1891.
A. A. 1883, §4,
18 Stat. 382,
amended.

SECTION 4. That when the persons answering the above description shall have assembled in public meeting, they shall have power: First, to select a Chairman and Secretary, adjourn from time to time, decide what additional tax, if any, shall be levied, and appropriate the same in such manner as they may think best for the educational interests of said school district: *Provided*, That no tax thus levied shall be repealed at any subsequent meeting within the same year. Second, they shall also have power to select (subject to the approval of the Board of Examiners for Spartanburg County) a Board of five Trustees for said school district, whose term of office shall be for two years from date of election, and who, in addition to the duties and responsibilities now provided by law for Trustees of school districts, shall have the following powers and duties: 1. To purchase or erect suitable buildings for the use of the public schools of said school district. 2. To elect and dismiss superintendents and teachers of the city schools, prescribe their duties, terms of their office, and to fix their salaries and to cause an examination of said teachers to be made whenever necessary; also to determine the class books and studies to be used in said schools, and to make rules and regulations for the government of said schools. 3. To determine the manner in which the tax heretofore authorized (and the two mills Constitutional and poll tax provided by law) shall be expended in maintaining said schools; and 4. To fill all vacancies occurring in said Board of Trustees by death, resignation, removal or otherwise during their term of office or service: *Provided, further*, That in case in any year no such meeting shall be held, or in case at any such meeting no action shall be taken in regard to the levy and collection of the special tax in said school district, it shall nevertheless be the duty of the County Auditor of Spartanburg County, or of such other officer as may at any time be charged with the duty of assessment and levy of taxes in said County and school district, to assess and levy a special school tax of two mills in addition to the Constitutional school tax on all real and personal property returned in said school district; and the same shall be a lien until paid on all property in said district, and the County

Powers of meeting.

Additional tax.

Tax unrepealable.

Board of Trustees.

Powers of Board.

Buildings.
Teachers.

Books and discipline.

Expenditure of tax.

Vacancies.

Special tax when no meeting is held.

Lien.

A. D. 1891.

Collection.

Treasurer, or other proper officer, shall collect the same with the State and County taxes, in the same manner and subject to the same penalties as are provided by law for the collection of State and County taxes.

Repealing
clause.

SEC. 2. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Approved December 22nd, A. D. 1891.

NO. 973. AN ACT TO INCORPORATE THE SPARTANBURG BELT ELECTRIC RAILWAY AND TRANSPORTATION COMPANY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That D. E. Converse, J. H. Montgomery, Joseph Walker, T. C. Duncan, and M. W. Coleman, and their associates and successors be, and they are hereby, constituted a body corporate and politic, under the name and style of the "The Spartanburg Belt Electric and Transportation Company."

SEC. 2 That the said company shall have power and authority to build, construct, equip, and operate a railway from the City of Spartanburg to some point on the North Carolina line in the direction of Forest City and Rutherfordton, North Carolina, with the privilege of constructing, equipping, and operating branch lines on line of said railway to Columbus, North Carolina, and to Clifton and Glendale, South Carolina. And also to build, construct, equip, and operate said railway and transportation line from the City of Spartanburg, in the direction of Cedar Springs, to Pacolet Mills on Pacolet River, with the privilege of extending a branch line or lines to Glendale and Clifton, South Carolina, and also to connect with Lockhart Shoals Railway by the most practicable route; and also to build, construct, equip, and operate the said Spartanburg Belt Electric Transportation Railway from said City of Spartanburg to Glenn Springs, and extend the same to some point on the Georgia, Carolina and Northern Railway which may be deemed most eligible and practicable; to acquire, by purchase or otherwise, and to hold, own, possess, and sell, or otherwise transfer, real

Property and
other rights.

and personal property; to sue and be sued, implead and be impleaded, and to have and exercise all and every other power, authority, privilege, and right common or necessary to similar corporations not inconsistent with the laws of the State or the provisions of this Act.

A. D. 1891.

SEC. 3. That the said corporators shall be *ex officio* directors of said company, with the usual powers and privileges; a majority of the same, however, having power at any time to take such action as they may deem necessary for the further and complete organization of the company in accordance with the provisions of this Act.

Corporators to be directors.

SEC. 4. That the capital stock, in such amounts as the said company may, by a majority vote of the stockholders, determine to carry out the purposes of this Act, said capital stock not to exceed, however, the sum of one million dollars, and such shares to be transferable in such manner as the by-laws may direct. That when the sum of ten thousand dollars shall have been subscribed to the said capital stock of said company, the said corporators, or a majority of them, shall appoint a time and place for the meeting of said stockholders, due notice having been given in such manner as a majority of the corporators may deem necessary, at which time and place the said stockholders may proceed to the organization of said company by the election of a President and nine directors, who shall constitute the first Board of Directors, and shall hold their office for one year and until their successors are elected.

Capital stock.

Limit.

Organization.

President and Directors.

SEC. 5. And the said company is hereby authorized and empowered to merge and consolidate its capital stock, estate, real, personal, and mixed, franchises, rights, privileges, and property, with any other railroad company or companies chartered by and organized under the laws of this or any other State or States whenever two or more railroad companies so to be merged and consolidated shall and may form a continuous line of road with each other and by means of any intervening road or roads; and said consolidation may be effected in such manner and on such terms and conditions as a majority of the stockholders may determine.

Consolidation with other roads.

SEC. 6. That said company is hereby authorized and empowered to mortgage any and all of its property and franchises, and to issue bonds and preferred stock to such an amount and on such terms and conditions, and for uses and purposes of said company as a majority of the stockholders thereof shall deem expedient for the interest of the company.

Bonds, mortgages and preferred stock.

A. D. 1891.
 Rights of con-
 demnation and
 of way.

SEC. 7. That the said company shall have any right, power, and privilege necessary for the purpose of acquiring such lands and rights of way as may be required for locating and constructing and operating said road and branches thereof, and for the erection and location of depots, warehouses, stations, wharves, and other necessary establishments, or for altering or extending the same, and the said company shall have the benefit of every process and proceeding, and be subject to the restrictions provided or imposed in Sections 1550 to 1561, both inclusive, of the General Statutes of this State.

Subscriptions
 to stock.

SEC. 8. That subscriptions to the capital stock of said company shall be made in money, lands, material, or labor, at the discretion of the company, to suit the subscriber.

Subject to gen-
 eral R. R. law.

SEC. 9. That this charter shall be subject to all the provisions of Part I., Chapter XL., of the General Statutes, known as the Railroad Act.

Public Act.
 Duration.

SEC. 10. That this Act shall be deemed a public Act, and shall continue in force until it expires by its own limitations, to wit, for a period of thirty years and until the first meeting of the General Assembly of this State thereafter.

Approved December 24th, A. D. 1891.

No. 974. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE PACOLET MANUFACTURING COMPANY," APPROVED FEBRUARY 9TH, 1882.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to incorporate the Pacolet Manufacturing Company," approved February 9th, 1882, be amended by striking out the words "five hundred thousand" and inserting in lieu thereof the words "one million;" also by adding at the end of said Section the following: "And the said body corporate shall have the power to construct and operate a railroad, tramway, turnpike or canal, for its own use and purposes, as common carriers to and from its works or place of business, or to connect with a navigable stream, or with some

A. A. 1882, § 1.
 17 Stat., 1096.
 amended, as to
 capital stock and
 railroad.

existing railroad, turnpike, or other public highway, not to exceed ten miles in length, and shall have the right to condemn for the use of such road the right of way in lands over which the road may pass, on payment to the owner thereof just compensation, such compensation to be determined in the manner now provided by law for railroad corporations." So that said Section as amended shall read as follows:

A. D. 1891.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Joseph Walker, C. E. Fleming, John H. Montgomery, D. E. Converse, John B. Cleveland and Wm. Choice, and their associates and successors, are hereby made and created a body politic and corporate, under the name and style of the Pacolet Manufacturing Company, for the purpose of manufacturing, dyeing, printing and finishing all goods and textiles made of cotton or wool, or of which cotton or other fibrous articles may form a part, and for making cotton-seed oil, for grinding wheat, corn and other grain, sawing lumber, and for the transaction of all such business as may be connected therewith; and may erect such mills, buildings, machine shops and other works as may be required or necessary to carry on such branches of manufacture and business; and may make and procure such machinery, tools and implements as may be required or necessary for the same; and they shall have power to raise by subscription, in shares of one hundred dollars each, a capital of one hundred thousand dollars, with the privilege of increasing the said subscription to a capital of one million dollars, the consent of the majority of the directors of said company being first had and obtained before said increase of capital is made; and the said body corporate shall have the power to construct and operate a railroad, tramway, turnpike or canal for its own use and purposes, and as common carriers to and from its works or place of business, or to connect with a navigable stream or with some existing railroad, turnpike or other public highway, not to exceed ten miles in length, and shall have the right to condemn for the use of such road the right of way in lands over which the road may pass, on payment to the owner thereof just compensation, such compensation to be determined in the manner now provided by law for railroad corporations.

Section 1.
as amended.

Incorporation.

Name and
purposes.

Mills, &c.

Machinery.

Capital stock.

May build and
operate railroads,
&c.

Length.

Rights of way.

Approved December 22nd, A. D. 1891.

A. D. 1891.

AN ACT TO CHARTER THE GAFFNEY CITY RAILWAY COMPANY.

No. 975.

- SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
- Incorporation.** John Earle Bomar, J. A. Carroll, A. N. Wood, John B. Cleveland, and such other persons or corporations as may be associated with them, and their successors and assigns, be and they are hereby created a body politic and corporate, under the name of the Gaffney City Railway Company. to build, equip, and
- Name.** operate a railroad or tramway commencing at the depot of the Atlanta and Charlotte Air Line Railway Company in the town of Gaffney, South Carolina, and running to the kilns of the Limestone Springs Lime Company at Limestone Springs, S. C.
- City railway.**
- Capital stock.** **SEC. 2.** The capital stock of said company shall be twenty thousand dollars, divided into shares of one hundred dollars each, to be raised by subscription.
- Rights and limitations.** **SEC. 3.** That said company shall have all the rights and privileges usual and incident to railroad corporations, and in accordance with all the provisions of an Act entitled An Act to
- 19 Stat., 171.** provide for and regulate the incorporation of railroad companies in this State, approved December 23d, 1885.
- Duration.** **SEC. 4.** The duration of this charter shall be for fifty years, and until the end of the session of the next General Assembly thereafter. This Act shall go into effect immediately after
- When to take effect.** its approval.

Approved December 22nd, A. D. 1891.

NOTE.—For Act relating to voting precincts in Spartanburg County, see *ante* No. 853, p. 1325.

For Act imposing a debt on certain townships in Spartanburg County, see *ante* No. 891, p. 1366.

AN ACT TO PROVIDE FOR THE BUILDING OF A NEW JAIL FOR
SUMTER COUNTY.

A. D. 1891.
No. 976.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Sumter are hereby authorized and required to have a new jail built for the County of Sumter, the total cost of which shall not exceed the sum of ten thousand dollars.

New jail
to be built.
Cost.

SEC. 2. The said Commissioners shall build the jail on the present lot, unless in their judgment they can secure a more eligible location; and should they find a lot more suitable for the erection of the jail, they are authorized to sell the present jail lot at private sale, and make a good and sufficient title in behalf of the County therefor, and with the proceeds of sale buy another lot for the County: *Provided, however,* That the new lot shall not cost more than is received for the present one.

Location.
Sale of
present lot.

Limit to cost.

SEC. 3. The said Commissioners shall first have prepared by a competent architect suitable plans and specifications for the jail, and a detailed estimate of the cost of the different classes of work. They shall then advertise in a Sumter, Columbia, and Charleston paper for thirty days for sealed bids to do the whole work, or to do certain different portions thereof. When the time has expired, they shall open all bids and award the contract or different portions thereof to the lowest responsible bidder: *Provided,* That the County Commissioners shall have power to refuse any or all bids made on said contract, if in their judgment they are exorbitant, or if they are not satisfied of the ability of the bidder to perform the contract: *Provided, further,* That the contract shall not be awarded to any bidder until he shall have filed a bond satisfactory to the Commissioners, conditioned on his completing the work awarded to him, pursuant to the plans and specifications, and within the prescribed time.

Plans and
specifications.
Call for bids.
Award of
contract.
Refusal of bids.
Bond by
contractor.

SEC. 4. That in order to raise the said sum of ten thousand dollars, or so much thereof as may be necessary for building the jail, the said Commissioners are authorized to borrow the money at a rate of interest not exceeding eight per cent. per annum, and to secure the payment thereof, together with interest, by pledging the taxes to be levied and collected each year for the purpose of building said jail, and such taxes shall not be used for any other purpose whatsoever, which loan shall be evidenced by certificates of indebtedness, bonds and notes signed by the

Loan authorized.
Pledge of taxes.
Evidence of loan.

A. D. 1891. County Commissioners, attested by their clerk, and sealed by their seal, payable in two equal annual instalments, with interest at eight per cent. per annum, and the same shall be legal, valid, and binding obligations on the County. The money thus obtained shall be used expressly for building said jail, and the using of it for any other purpose is hereby declared a misdemeanor, punishment with fine and imprisonment in the discretion of the Judge trying the case.

Use of proceeds.

Penalty for
misuse.

Annual tax levy. SEC. 5. That for the payment of the money so borrowed, together with interest, or the bonds and coupons issued pursuant to this Act, the County Commissioners of said County are hereby authorized and required to assess annually upon the taxable property of said County one mill to pay the money so borrowed, and the interest on the said debt and the principal when falling due, until the whole be paid, which assessment shall be known and styled on the tax books as the "Jail Tax," and shall be assessed by the Auditor and collected by the County Treasurer in the same manner as other State and County taxes, and the Treasurer shall pay the same out by direction of the County Commissioners.

Jail tax.

Assessment,
collection, &c.

Approved December 23rd, A. D. 1891.

No. 977. AN ACT TO AUTHORIZE THE TRUSTEES OF THE "GRADED SCHOOL OF THE TOWN OF BISHOPVILLE" TO PURCHASE REAL ESTATE FOR SCHOOL PURPOSES, AND TO SECURE THE PAYMENT, OR OF PART THEREOF, BY BOND AND MORTGAGE.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Trustees of the "Graded School of the town of Bishopville" are hereby authorized to purchase real estate, consisting of a lot or lots, and building or buildings thereon, in said school district, suitable for the establishment and maintenance of a graded school or graded schools for and in said school district; and to take title therefor in the name of the "Graded School District of the Town of Bishopville;" and to secure the payment of the purchase money, or of part thereof, by executing in the

Purchase of
school property.

Bonds and
mortgages.

name of the "Graded School District of the Town of Bishopville," and delivering to the person or persons from whom they shall so purchase a bond or bonds, and a mortgage or mortgages, of the premises purchased, bearing interest at the rate of not exceeding eight per centum per annum, said bond or bonds to be paid from and out of the school funds of the said graded school district.

A. D. 1891.

How to be made.

Approved December 18th, A. D. 1891.

AN ACT TO AMEND THE CHARTER OF THE SCHOOL DISTRICT OF No. 978.
THE CITY OF SUMTER.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Board of School Commissioners of the school district of the city of Sumter be, and they are hereby, authorized and empowered annually to levy and assess a tax for the support and maintenance of the public schools of said school district, not exceeding two mills upon the dollar upon the assessed value of all real and personal property within the corporate limits of said school districts subject to taxation, the same to constitute a lien upon said property and to be collected in the manner provided by law: *Provided, however,* That at any time upon the petition of a majority of the duly qualified electors of said school district for the abolition of said school tax, it shall be the duty of the City Council of the city of Sumter to order an election to determine that question; and if at such election a majority of the duly qualified electors of said school district, voting on the question, shall decide in favor of abolishing such school tax, it shall thereafter be unlawful for said Board of School Commissioners to levy or collect the same; such election to be ordered and held in all respects in the same manner as is now provided by law for holding municipal elections in the city of Sumter.

Extra tax for support of schools.

Lien.

Election on question of abolishing the tax.

Discontinuance of tax.

Conduct of election.

SEC. 2. That annually hereafter two of the members of the Board of School Commissioners for said school district, such two to be determined by lot, if necessary, shall retire from office

Two trustees to retire every year.

A. D. 1891.

Vacancies.

and shall be ineligible for re-election for the next ensuing year. The vacancy thus created, and any other vacancy in said Board which may for any cause, at any time, occur, shall be filled by election by the remaining members of such Board.

May issue bonds.

Application of proceeds.

Description of bonds.

Execution.

Registry.

Coupons receivable for taxes.

Lien.

Exempt from taxation.

Annual tax levy.

Lien.

Collection.

Use of proceeds.

When to take effect.

Repealing clause.

SEC. 3. That the school district of the city of Sumter is hereby authorized and empowered, by and through its Board of School Commissioners, to issue coupon bonds to the amount of four thousand dollars, if said Board should deem that amount necessary; the proceeds derived from the sale of said bonds shall be used for the purpose of completing the white graded school building and enlarging the colored graded school building in said school district and furnishing the same. Said bonds to bear a rate of interest not exceeding six per centum per annum, payable annually, the principal to mature in not less than twenty-four years from the date of issue, the same to be signed by the Chairman of said Board and countersigned by its Clerk and Treasurer, and the seal of said corporation to be affixed thereto. Said bonds to be in such denominations as the Board may determine, and a correct registry of the same shall be kept by the said Clerk and Treasurer. The coupons of said bonds shall be receivable for all taxes in said school district which shall be levied for educational purposes. Said bonds shall constitute a lien upon all the property which may be improved with the proceeds of the same; and said bonds shall not be taxable for municipal or public school purposes other than the constitutional two mill tax. That for the purpose of paying the interest on said bonds and the principal when due, it shall be the duty of the Board of School Commissioners of said school district to compute annually the amount necessary to be raised, and to assess and levy the same upon all the real and personal property in said school district, and the amount so assessed and levied shall be a lien upon such property and shall be collected by the Clerk and Treasurer of said Board at the same time and in the same manner and under the same powers as the city taxes of the city of Sumter are collected, and shall be held by him for the purpose of paying the said interest or principal, if any be due, and shall be used for no other purpose whatever.

SEC. 4. This Act shall take effect immediately upon its approval.

SEC. 5. That so much of all Acts as is inconsistent with or

supplied by the provisions of this Act be, and the same are hereby, repealed. A. D. 1891.

Approved December 16th, A. D. 1891.

AN ACT TO AMEND THE CHARTER OF THE CITY OF SUMTER. No. 979.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the said City Council shall have power and authority to close all such roads, streets and ways within the said city as they may deem necessary, by sale of the freehold therein, either at private or public sale, as they may adjudge best for the interest of the said city; and they shall have power and authority to lay out, adopt, alter, widen and open all such streets, roads and ways as they may from time to time deem necessary for the improvement and convenience of the said city: *Provided*, That the owners of lands over which any such road, street or way may pass, and any person damaged by the closing or from the altering of any such street, road or way shall be duly compensated therefor by the City Council; and wherever any road, street or way is to be laid out, closed, opened or widened, in case the said City Council and the owners of land over which the same shall pass, or the persons damaged by the closing or altering as aforesaid, cannot agree upon the amount of compensation to be paid to such owners or persons, the same shall be assessed by three Commissioners to be appointed, one by the City Council, one by the land owner or person damaged, and the third by the two Commissioners thus appointed; and in case any land owner shall neglect or refuse to appoint a Commissioner within ten days after notice so to do, then the Chairman of the Board of County Commissioners of the County of Sumter shall appoint a Commissioner, who, with the one appointed by the City Council, shall select the third Commissioner: *Provided*, That either party may appeal from such assessment to the Court of Common Pleas for said County, by serving written notice of such appeal upon the other party within five days after such assessment shall have been made, when the issue of value shall be submitted to a jury.

Closing streets.

Opening streets.

Compensation to land owners.

Assessment of damages.

Appointment of commissioners.

Appeal.

Trial by jury.

A. D. 1891.
 Sidewalks.
 Assessment on
 adjoining lots.

SEC. 2. That the said City Council shall have power to lay and construct sidewalks upon the streets of said city when deemed advisable, with power to assess one-half of the cost of the same upon the adjoining land owners or proprietors, the same to be assessed, levied and collected in the mode, manner and time as may be provided for the levying and collection of the ordinary city taxes or by instalments..

Water works.

SEC. 3. That the said City Council be, and is hereby, authorized and empowered to contract for the construction, operation or maintaining of a system of water works for the use of said city, with full power to contract for the use of the same by renting or otherwise, and to that end to pay for such use or maintenance out of the ordinary tax levies or out of any additional or special levies that may be made; and the said City Council be, and is hereby, authorized and required to levy such taxes upon the real and personal property assessed for taxation in said city as may be deemed necessary to pay the same.

How paid for.

Tax levy for
 this purpose.

Coupon bonds.

SEC. 4. That the City Council of the City of Sumter is hereby authorized and empowered to issue coupon bonds of said city to the amount of one hundred thousand dollars (if so much be found necessary), the proceeds derived from the sale of said bonds to be used by said City Council for the internal improvement of said city. Said bonds to bear a rate of interest not exceeding six per cent. per annum, payable annually on the 15th day of December, and the principal to mature in not less than twenty years from the date of issue; the same to be signed by the Mayor of said city and countersigned by its Clerk and Treasurer, and the seal of said corporation affixed thereto; said bonds to be issued in denomination of five hundred dollars each, and a correct register of the same shall be kept in the office of the Clerk and Treasurer of said city. The coupons on said bonds when due, shall be receivable for all taxes due to said city. That for the purpose of paying the interest upon said bonds and the principal when due it shall be the duty of the said City Council to compute annually the amount necessary to be raised, and to assess and levy the same upon all the real and personal property in said city, and the amount so assessed shall be a lien upon such property, and shall be collected in the same manner and under the same powers as the ordinary taxes of said city are collected, and shall be used for the payment of said interest or principal: *Provided*, That no bonds shall be issued under the provisions of this Act unless two-thirds of the qualified electors of said city voting shall be in favor of such issue as

For internal
 improvements.

Interest.

Maturity.

Execution.

Denomination
 and registry.

Receivable
 for taxes.

Assessment
 and levy of tax.

Lien.

Collection and
 application.

Previous elec-
 tion to be had.

may be expressed at an election hereafter held for that purpose. That no election be held for said object until due notice of the time, place, and purpose of said election is published for thirty days next preceding said election, in one or more newspapers published in said city.

A. D. 1891.

Notice of election.

Approved December 24th, A. D. 1891.

NOTE.—For Act relating to a military company in Sumter County. See *ante* No. 930, p. 1414.

AN ACT TO FURTHER REGULATE THE PAYMENT OF TRIAL JUSTICES AND CONSTABLES AND OF THE SHERIFF IN CERTAIN CASES IN UNION COUNTY. No. 980.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act the Trial Justices of Union County be allowed to retain usual Trial Justices' and usual Constables' costs out of fines collected by them in criminal cases within their jurisdiction, or so much of said fines as may be necessary, as compensation for their services and for their Constables' services in such cases, and any and all fines collected by them in excess of their costs and their Constables' costs, shall be in such case paid over to the County Treasurer as now required by law; the said Trial Justices shall make out an itemized statement, verified by their oath, of all of their services and of all of their Constables' services in all criminal cases above their jurisdiction to hear and determine and in all those cases within their jurisdiction in which they have been unable to collect costs or fines, and these bills shall constitute their bills of *nulla bona* costs which the County Commissioners of said County are authorized and required to pass upon after the same have been approved by the Solicitor of the Circuit and to order paid if found correct: *Provided, however,* That no such bill of *nulla bona* costs shall be approved or ordered paid for more than fifty dollars per annum each for the two Trial Justices in Union Township, or for more than thirty-five dollars per annum for each of the other Trial Justices in said County, and that the

Trial Justices to retain costs.

Excess of costs to be turned over.

Itemized statement.

Duty of County Com'rs.

Nulla bona costs limited.

A. D. 1891. Constables' bills for *nulla bona* costs shall not be approved or ordered paid for more than eighty dollars per annum in Union Township or for more than forty dollars per annum for each of the other Trial Justices' Constables in said County: *Provided*, further, That the two Trial Justices in Union Township may employ and utilize the Sheriff of said County as their Constable, in which event the Sheriff shall receive usual Constables' costs for all Trial Justices' matters attended to by him, rendering a separate itemized verified bill thereof, deducting all Constables' costs paid to him thereon by the Trial Justices: *Provided*, further, That this Act shall not be so construed as to modify or alter in any way the Sheriff's duties or pay for services for the Court of General Sessions.

Sheriff's costs as constable. Verified bill. Proviso.

Repealing clause. When to take effect. SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and are hereby, repealed, and that this Act shall take effect immediately upon its approval.

Approved December 24th, A. D. 1891.

No. 981. AN ACT TO AUTHORIZE THE ISSUING OF TOWNSHIP BONDS TO PAY SUBSCRIPTIONS OF CERTAIN TOWNSHIPS IN UNION COUNTY IN AID OF THE CONSTRUCTION OF THE GLENN SPRINGS RAILROAD AND TO PROVIDE FOR THE PAYMENT OF THE SAME.

Preamble as to Cross Keys. *Whereas*, the township of Cross Keys, in Union County, by a vote of the qualified voters of said township, has expressed its willingness to subject itself to taxation for the purpose of paying bonds to be issued for the sum of fifteen thousand dollars in aid of the construction of the Glenn Springs Railroad through said township, in the direction of Goshen Hill, which subscription has not been paid;

Bogansville. *And whereas*, the township of Bogansville, in Union County, by a vote of the qualified voters of said township, has expressed its willingness to subject itself to taxation for the purpose of paying bonds to be issued for the sum of twenty thousand dollars in aid of the construction of the Glenn Springs Railroad through said township in the direction of Goshen Hill, which subscription has not been paid; and, afterwards, also expressed

its willingness to subject itself to taxation for the purpose of paying bonds to be issued for the sum of thirteen thousand dollars in aid of the construction of the "Glenn Springs Railroad" through said township in the direction of Union, or in aid of the construction of the "Cape Fear and Cincinnati Railroad" or any other railroad through said township in the direction of Union, and it is desired that the subscriptions of said township to both of said lines of railroad shall not exceed twenty thousand dollars in the aggregate, and shall be divided between said lines of railroad if both lines are built; *and whereas*, the township of Goshen Hill, in Union County, by a vote of the qualified voters of said township, has expressed its willingness to subject itself to taxation for the purpose of paying bonds to be issued for the sum of twenty thousand dollars in aid of the construction of the "Union, Gaffney City and Rutherford Railroad," the name of which was changed to the "Atlantic and Northwestern Railroad," and by an Act of the General Assembly entitled "An Act to validate and confirm certain township and town subscriptions to the corporation now named 'The Atlantic and Northwestern Railroad Company,'" approved December 24th, 1886, bonds were authorized to be issued in behalf of said township in payment thereof with the following proviso, to wit: "*Provided*, Said Atlantic and Northwestern Railroad Company is hereby authorized and required to transfer ten thousand dollars of the bonds of said township of Goshen Hill to the Glenn Springs Railroad Company;" which has not been done; *and whereas*, the building of said railroads or either of them will be of great public importance, and in order to provide for taxing said townships which have already expressed a willingness to be taxed for said public purpose; therefore

A. D. 1891.

Goshen Hill.

19 Stat., 630.

Public importance.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Union County are hereby authorized and required, as the corporate agents of the townships of Cross Keys, Bogansville and Goshen Hill, to prepare and issue to the Glenn Springs Railroad Company six per cent. bonds, payable in thirty years from the date thereof, of the denomination of one hundred, five hundred, or one thousand dollars, with interest payable annually, to be received by said company at par, in amounts as specified as follows, to wit: Fifteen thousand dollars in township bonds for Cross Keys

Co. Com'rs to issue township bonds to Glenn Springs R. R.

Amounts.

A. D. 1891. Township, twenty thousand dollars in township bonds for Bogansville Township, and ten thousand dollars in township bonds for Goshen Hill Township; one-half of which said bonds of each of said townships to be delivered when the said railroad shall have been graded from Glenn Springs, in Spartanburg County, by the most practicable route, to some point on the "Georgia, Carolina, and Northern Railroad," at or near Goshen Hill, in Union County, and the remaining one-half of said bonds to be delivered when said railroad shall have been completed and the track laid between said points, upon certificates being given by the chief engineer of said company that the work has been done as stipulated: *Provided*, That the said "Glenn Springs Railroad Company" is hereby authorized and required to transfer thirteen thousand dollars of the bonds of the said Bogansville Township to the "Cape Fear and Cincinnati Railway Company," or any other railroad company, upon said company building the line of railroad through said township in the direction of Union, one-half of which said thirteen thousand dollars of bonds to be transferred when the line of railroad from Greenville to Union shall have been graded, and the remaining one-half of said bonds to be transferred when the said line of railroad shall have been completed and the track laid between said points: *Provided, further*, That the ten thousand dollars of the bonds of the said Goshen Hill Township, authorized to be issued by this Act, shall be taken, when issued, in lieu of the ten thousand dollars of the bonds of said township required to be transferred to the Glenn Springs Railroad Company by the "Atlantic and Northwestern Railroad Company" by the Act of the General Assembly, approved December 24th, 1886, referred to in the preamble of this Act.

When deliver-
able.

Transfer of
bonds to C., F. &
C. Ry. Co. or
others.

When to be
transferred.

In lieu of
other bonds.

Declared to be
debts of these
townships.

Assessment
and collection of
an annual tax.

Township R. R.
tax.

SEC. 2. That the said bonds when issued in aid of said railway by said County Commissioners or corporate agents of said townships as hereinbefore provided, in conformity with the wishes of the inhabitants of said townships as hereinbefore indicated, are hereby declared to be debts of said townships respectively, and the interest and principal thereof when so issued shall be paid according to the terms of said bonds or debt by the assessment, levying, and collection of an annual tax upon the taxable property of said townships, so far as may be necessary, in like manner and by the same County officials as the tax levied for County bonds in aid of railroads is assessed, levied, and collected, said tax to be known and styled in the tax books as the

township railroad tax, and when collected shall be paid over by the Treasurer of the County to the holders of said bonds as the interest thereon may become due and according to the terms thereof. All dividends received by and for said townships on stock in said railway company shall be applied by the County Commissioners of the County in which said townships are respectively situated primarily towards the payment or retirement of said bonds or debt, and the surplus shall be expended in the improvement of the highways within the territorial limits of the said townships.

A. D. 1891.

Application of dividends.

Surplus.

SEC. 3. That this Act shall take effect immediately upon its approval.

When to take effect.

Approved December 24th, A. D. 1891.

AN ACT TO AUTHORIZE THE TOWNSHIPS OF JONESVILLE AND PINCKNEY, IN UNION COUNTY, TO SUBSCRIBE TO THE CAPITAL STOCK OF THE LOCKHART SHOALS RAILWAY COMPANY, AND TO DECLARE SAID TOWNSHIPS TO BE BODIES POLITIC AND CORPORATE FOR THE PURPOSES HEREIN MENTIONED.

No. 982.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That it shall and may be lawful for the townships of Jonesville and Pinckney, respectively, in the County of Union, to subscribe to the capital stock of the Lockhart Shoals Railway Company such sum and in such manner as may hereinafter be prescribed.

Authorized to subscribe.

SEC. 2. That for the purpose of carrying out the provisions of Section 1, it is hereby made the duty of the County Commissioners of Union County, and they are hereby required, to submit to the qualified electors of said Jonesville Township the question of subscription or no subscription of the sum of twenty thousand dollars, and to the qualified electors of said Pinckney Township the subscription or no subscription of the sum of twenty thousand dollars to the capital stock of said Lockhart Shoals Railway Company; that said subscription shall be made in six per cent. coupon bonds, payable in twenty and thirty years after the issue thereof, and to be received by said Lock-

Election to be ordered.

Amount of subscription, and how payable.

A. D. 1891.	hart Shoals Railway Company at par. the said bonds to be of
Expenditure of proceeds.	the denomination of one hundred, five hundred, and one thousand dollars: <i>Provided</i> , That the funds realized on said bonds
Conduct of election.	shall be expended in the construction of said railway within the limits of said townships: and the said County Commissioners
	shall order an election, specifying the time, place, and purpose of the election, and to appoint three managers at each election
Ballots.	precinct in said townships, who shall hold and conduct said election, at which the ballots shall have written or printed
Notice of election.	thereon the words "subscription" or "no subscription," the said County Commissioners having first given notice of the amount
	proposed to be subscribed and the time of holding such election in one or more newspapers published in the County of Union
Ascertainment and declaration of result.	for thirty days previous to said election. It shall be the duty of the managers to make returns and meet at the court house of
	said County of Union, and count the votes and declare the result as in other elections, which result shall be certified in writing by the Chairman of each Board of Managers to the Chairman
Subscription directed.	of the Board of County Commissioners. In case a majority of the ballots cast shall have written or printed thereon "subscription," then the Board of County Commissioners shall be
	authorized and required to subscribe to the capital stock of said company in behalf of said township the amount so subscribed, which subscription shall be made in six per cent. bonds as afore-
Declaration on face of bonds.	said, with interest payable on the first day of January annually; but in all subscriptions made under the direction of said township election as herein authorized, it shall be so expressed in
	the bonds and coupons issued in payment of such subscription: and all tax levies for the purpose of raising funds to pay the
Tax levies to pay bonds and coupons.	said bonds or coupons shall be made only upon the taxable property in such township, and shall be made in the same manner and by the same officers as tax levies are now made by
	law for State and County purposes. And the said County Commissioners shall deliver said bonds as soon as the same are prepared and executed to the President and Board of Directors of
Delivery of bonds.	the said Lockhart Shoals Railway Company.

SEC. 3. That if a majority of the electors voting at the election to be held as hereinbefore provided in the respective townships of Jonesville and Pinckney shall signify their assent by such vote to the imposition of a tax for the purpose of paying the bonds, principal and interest, subscribed as hereinbefore provided in this Act, then the same shall be, and is hereby declared to be, a debt, legal and valid, fixed upon the townships

of Jonesville and Pinckney, and represented by the bonds so voted to be issued and the interest thereon, as provided in said bonds. And the County Commissioners of the County of Union are hereby required as the corporate agents of said townships, respectively, to assess, levy and collect an annual tax upon the taxable property of the said townships of Jonesville and Pinckney, respectively, sufficient to meet the payment of the principal and interest of the bonds which represent the debt as aforesaid, fixed and imposed upon said townships respectively for the purposes hereinbefore set forth and declared.

A. D. 1891.

Represented
by bonds.
County Com'rs
to levy and col-
lect tax.

SEC. 4. That J. C. Farrar and Thadeus Hames be, and they are hereby, appointed trustees, who shall represent in all meetings of said Lockhart Shoals Railway Company the stock of the township aforesaid, subscribing to said company; and in case of a vacancy from any cause in said Board of Trustees, the County Commissioners aforesaid be, and they are hereby, authorized to appoint a successor or successors to fill such vacancy.

Trustees to
represent stock.

Vacancies.

SEC. 5. That the townships of Jonesville and Pinckney, in Union County, be, and they are hereby, created bodies politic and corporate, under their respective names, for the purpose of accomplishing said public and corporate purpose, to wit, the construction of said railroad through said townships, and they are invested with all necessary power to carry out the provisions of this Act; and they may sue and be sued in respect to any rights or causes growing out of the provisions of this Act; and the County Commissioners of Union County are hereby declared corporate authorities for the said townships of Jonesville and Pinckney.

Incorporation
of townships.

Powers.

County Com'rs
made agents of
townships.

Approved December 22nd, A. D. 1891.

AN ACT TO INCORPORATE THE TOWN OF CARLISLE, IN UNION No. 983. COUNTY.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all citizens of this State

Incorporation.

A. D. 1891.	<p>who have resided sixty days in the town of Carlisle, in the County of Union, shall be deemed, and are hereby declared, a body politic and corporate, and the said town shall be called</p>
Name and limits.	<p>and known by the name of Carlisle, and the corporate limits shall extend one-half mile north, south, east, and west from the passenger depot of the Spartanburg and Union Railroad Company, so that said town of Carlisle shall be one square mile.</p>
Rights and limitations.	<p>SEC. 2. That the said town of Carlisle shall have all the rights, powers, and privileges, and be subject to all the provisions and limitations, enumerated and contained in an Act entitled "An Act to provide for and regulate the incorporation of towns of less than one thousand inhabitants in this State," approved 23rd December, 1885. The first election for Intendant and Wardens of said town shall be held on the fourteenth day of January, 1892, between the hours of 9 A. M. and 4 P. M.; and W. T. Jeter, M. C. Deever, and James G. Rice are hereby appointed Commissioners to hold said election, count the votes, and declare the result.</p>
19 Stat., 174.	
First election.	
Sale of liquors prohibited.	<p>SEC. 3. That it shall be unlawful for any druggist or other person to sell any spirituous or malt liquors, or any medicated liquors of which spirituous liquors form an ingredient, within the incorporate limits of said town, upon the prescription of a physician or otherwise; and any and all persons violating the provisions of this Section shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by fine or imprisonment, or both, within the discretion of the Court; and the Town Council of said town is hereby authorized and empowered to pass such ordinances as may be deemed necessary, with appropriate penalties, to enforce the observance and punish all violations of the provisions of this Section.</p>
Penalties.	
Ordinances.	
Public Act.	<p>SEC. 4. That this Act shall be deemed a public Act, shall go into effect from the date of its approval, and shall continue of force for a period of thirty years, and until the final adjournment of the General Assembly next thereafter.</p>
When to take effect. Duration.	

Approved December 22nd, A. D. 1891.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROHIBIT THE SALE OF INTOXICATING LIQUORS WITHIN THE CORPORATE LIMITS OF THE TOWN OF JONEVILLE, IN THE COUNTY OF UNION," APPROVED DECEMBER 22D, 1885. A. D. 1891.
No. 984.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to prohibit the sale of intoxicating liquors within the corporate limits of the town of Jonesville, in the County of Union," approved December 22, 1885, be, and the same is hereby, amended by adding thereto another Section to be known as Section 3, as follows: A. A. 1885,
19 Stat., 139,
amended.

SECTION 3. That it shall be unlawful for any druggist or other person to sell any spirituous or malt liquors, or any medicated liquors of which spirituous liquor forms an ingredient, within the corporate limits of said town, upon the prescription of a physician or otherwise, and any and all persons violating the provisions of this Section shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by fine or imprisonment, or both, within the discretion of the Court; and the Town Council of said town is hereby authorized and empowered to pass such ordinances as may be deemed necessary, with appropriate penalties, to enforce the observance and punish all violations of the provisions of this Section. Sale of Liquors
prohibited.

Penalties.

Ordinances.

SEC. 2. That said Act be further amended by making Section 3 of said Act Section 4, and Section 4 of said Act Section 5. Change in
numbering.

Approved December 22nd, A. D. 1891.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AUTHORIZE THE ELECTION OF A TOWN TREASURER FOR THE TOWN OF UNION, IN UNION COUNTY, AND TO PRESCRIBE HIS DUTIES," APPROVED 24TH DECEMBER, 1888. No. 985.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section one of an Act entitled "An Act to authorize the election of a town treasurer for the town of Union, in Union County," A. A. 1888, § 1,
ante 238, amend-
ed.

A. D. 1891.	and to prescribe his duties," approved 24 December, 1888, be, and the same is hereby, amended so as to read as follows :
Election of treasurer and clerk.	SECTION 1. That the town council of the town of Union, in the State of South Carolina, be, and they are hereby, authorized and required to elect a treasurer for said town, who shall, when elected, act as the clerk of said council. This election for treasurer shall be held annually ; said town treasurer shall hold office for one year, and until his successor is elected and qualified. Before entering upon the duties of his office he shall enter into bond in the sum of five thousand dollars, payable to said town of Union, with condition for the faithful discharge of his duties as town treasurer. He shall receive and collect all moneys belonging to said town, and all taxes, fines, and license fees laid and imposed by said town council, and shall disburse the same as directed by said town council, and shall pay over and deliver to his successor all moneys and property of said town remaining in his hands at the expiration of his term of office. He shall deposit all moneys received by him in the Merchants' and Planters' National Bank of Union as soon as received. That said treasurer shall make a report to said town council as often as required to do so, either by the Intendant, or by order of said council, and on or before the tenth day of January in each and every year he shall also make and publish in a newspaper published in said town, a verified report of all moneys received by him as treasurer and the disposition of the same. He shall receive as full compensation for his services two and one-half per centum of all moneys received, and two and one-half per centum of all moneys actually disbursed by him : <i>Provided</i> , That in ascertaining the amount of his compensation no payment or delivery of money or other property to his successor, shall be held to be a disbursement.
Term.	
Bond.	
To collect and disburse moneys.	
Turn over property to successor.	
Deposit of money.	
Report to Council.	
Annual report.	
Compensation.	
Proviso.	

Approved December 16th, A. D. 1891.

AN ACT TO AMEND SECTION 6 OF AN ACT ENTITLED "AN ACT TO AMEND THE CHARTER OF THE TOWN OF UNION," APPROVED JANUARY 8, A. D. 1872, BY ADDING A PROVISIO TO SAID SECTION. A. D. 1891.
No. 986.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 6 of an Act entitled "An Act to amend the charter of the town of Union," approved January 8th, A. D. 1872, be, and the same is hereby, amended by adding the following proviso at the end of said Section, to wit: *Provided*, That nothing in this Section contained shall be so construed as to give to said Intendant and Wardens the power to appoint or elect a cotton weigher. A. A. 1872, § 6,
15 Stat. 8.
Proviso as to
cotton weigher.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed. Repealing
clause.

Approved December 24th, A. D. 1891.

NOTE.—For Act relating to public roads in Union County, see ante No. 778, p. 1213.

For Act imposing a debt on certain townships of Union County, see ante No. 891, p. 1366.

AN ACT TO PROHIBIT THE GRANTING OF LICENSES FOR THE SALE OF SPIRITUOUS OR MALT LIQUORS, WINE OR CIDER IN ANY OF THE TOWNS OR VILLAGES OF WILLIAMSBURG COUNTY. No. 987.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That after the passage of this Act no license for the sale of spirituous or malt liquors, wine except for sacramental purposes, or cider, or of any intoxicating bitters or fruits prepared with liquors or of any other intoxicating beverages whatever, shall be granted by the municipal authorities of any of the towns or villages of Williamsburg County, and the sale of any such liquors, wine, cider or beverages or bitters within or without the corporate limits of the towns and villages of said County within said County shall subject the person so selling to all the Sale of liquors
prohibited.

Penalties.

A. D. 1891. penalties now prescribed by law for selling spirituous liquors without a license in this State.

Approved December 24th, A. D. 1891.

No. 988. AN ACT TO ALLOW THE STOCK IN CERTAIN PORTIONS OF WILLIAMSBURG COUNTY TO RUN AT LARGE FROM THE 15TH DAY OF DECEMBER TO THE 15TH DAY OF MARCH OF EACH AND EVERY YEAR.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Stock may run at large from Dec. 15 to March 15. from and after the passage of this Act it shall be lawful for the owners of stock to allow the same to run at large from the fifteenth day of December to the fifteenth day of March in each and every year in the following portions of Williamsburg County, to wit: In the townships of King and Turkey, and In certain territory. bounded as follows: On the north by Holmes Swamp until it connects with Cedar Swamp, and then by a direct line to the pasture fence at or near L. P. McCullons, on the east by said "pasture fence," on the south by Black River, and on the west by "Creepen Gully," along the public road to Aunt Anns Branch, then Dukes Lane and lands of W. J. Tisdale and J. M. Owens to Black River at McKees Landing.

Repealing clause. SEC. 2. That all Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Approved December 24th, A. D. 1891.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF YORK COUNTY TO BORROW MONEY WHEN NECESSARY, AND AFTER THE LEVIES HAVE BEEN LAWFULLY MADE FOR THE PURPOSE, TO PAY THE INTEREST ACCRUING UPON THE BONDS ISSUED BY CERTAIN TOWNSHIPS IN SAID COUNTY TO AID IN THE CONSTRUCTION OF THE CHARLESTON, CINCINNATI AND CHICAGO RAILROAD COMPANY, AND TO PLEDGE THE SAID LEVIES AS SECURITIES FOR THE LOANS.

A. D. 1891.

No. 989.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That whenever the time for the collection of taxes shall be extended so as to delay the prompt collection of the levies which have been or shall hereafter be lawfully made by the County Commissioners of York County to meet the interest to become due upon the bonds issued by the townships of Catawba, Ebenezer, York and Cherokee in the County of York and State of South Carolina, to aid in the construction of the Charleston, Cincinnati and Chicago Railroad Company, then and in every such case it shall be lawful for the said County Commissioners, and they are hereby expressly authorized, to borrow money to meet the said accruing interest at such rate of interest as they may contract to pay, not exceeding eight per centum per annum, and to pledge the tax levies so made as security for the return of said loan or loans.

County Com'rs authorized to borrow money to pay interest when collection of taxes is delayed.

Pledge of taxes.

SEC. 2. That this Act shall go into effect immediately upon its passage.

When to take effect.

Approved December 22nd, A. D. 1891.

AN ACT TO AUTHORIZE AND EMPOWER THE COUNTY COMMISSIONERS OF YORK COUNTY TO SELL THE SHARES OF STOCK NOW OWNED BY THE COUNTY OF YORK IN THE CHESTER AND LENOIR NARROW GAUGE RAILROAD COMPANY.

No. 990.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the County Commis-

Authorized to sell.

A. D. 1891.

Limit to price.

sioners of the County of York be, and they are, authorized and empowered to sell, either at public or private sale, the one thousand shares of stock of the Chester and Lenoir Narrow Gauge Railroad Company now owned by the County of York: *Provided*, That they shall not sell said stock for less than fifteen dollars and fifty cents per share.

Approved December 24th, A. D. 1891.

No. 991. AN ACT TO AMEND SECTIONS 1, 4 AND 5 OF AN ACT ENTITLED "AN ACT TO LIMIT THE NUMBER OF TRIAL JUSTICES IN YORK COUNTY, FIX THEIR TERRITORIAL JURISDICTION AND PROVIDE FOR THEIR COMPENSATION, AND TO PROVIDE FOR TWO TRIAL JUSTICES IN THE CITY OF SPARTANBURG," APPROVED DECEMBER 23RD, A. D. 1886.

A. A. 1886, § 1.
19 Stat., 688,
amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section one of an Act entitled "An Act to limit the number of Trial Justices in York County, fix their territorial jurisdiction and provide for their compensation, and to provide for two Trial Justices in the city of Spartanburg," approved December 23rd, A. D. 1886, be, and the same is hereby, amended so as to read as follows:

York County
divided into ten
Judicial Dis-
tricts.

First.
Second.
Third.
Fourth.
Fifth.
Sixth.
Seventh.
Eighth.
Ninth.
Tenth.

SECTION 1. That from and after the passage of this Act the County of York shall be, and is hereby, divided into ten Judicial Districts, as follows: The First District shall embrace Cherokee Township. The Second District shall embrace Broad River Township. The Third District shall embrace Bullock's Creek Township. The Fourth District shall embrace Bethesda Township. The Fifth District shall embrace York Township. The Sixth District shall embrace King's Mountain Township. The Seventh District shall embrace Bethel Township. The Eighth District shall embrace Fort Mill Township. The Ninth District shall embrace Ebenezer Township outside the incorporate limits of the town of Rock Hill. The Tenth District shall embrace Catawba Township and that portion of Ebenezer Township lying within the incorporate limits of the town of Rock Hill.

SEC. 2. That Section four of said Act be, and the same is hereby, amended so as to read as follows:

A. D. 1891.

SECTION 4. That said Trial Justices shall each receive from said County as compensation for their services and in lieu of all fees and costs in criminal cases the following salaries per annum, payable quarterly, to wit: In the First District the sum of one hundred and twenty-five dollars. In the Second, Third, Fourth, Sixth, Seventh, and Ninth Districts the sum of seventy-five dollars. In the Eighth District the sum of one hundred dollars. In the Fifth District the sum of two hundred and fifty dollars. In the Tenth District the sum of two hundred and fifty dollars.

Section 4,
amended.
Salaries of
Trial Justices.

SEC. 3. That Section 5 of said Act be, and the same is hereby, amended so as to read as follows:

Section 5,
amended.

SECTION 5. That said Trial Justices shall each receive from said County, in addition to his salary, to be used by him in compensating such person or persons as may be appointed or employed by him as Constable, the following sums, if so much be necessary, per annum, payable quarterly: In the Second, Third, Fourth, Sixth, Seventh and Ninth Districts, the sum of seventy-five dollars; in the First District, one hundred and twenty-five dollars; in the Eighth District, one hundred dollars; in the Fifth District, one hundred and fifty dollars; in the Tenth District, two hundred and fifty dollars. And the said Constable, as well as the Sheriff of said County, shall not receive any sum of money from said County or from any person for any services rendered by him in any criminal case under such appointment or employment except as herein provided.

Compensation
for constables.

No other sums
receivable.

SEC. 4. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Repealing
clause.

SEC. 5. That this Act shall go into effect from and after the date of its approval.

When to take
effect.

Approved December 24th, A. D. 1891.

A. D. 1891.

No. 992.

A JOINT RESOLUTION AUTHORIZING AND REQUIRING THE COUNTY TREASURER OF YORK COUNTY TO PAY OUT THE SUM OF FOUR HUNDRED AND ONE AND 77-100 DOLLARS. NOW IN HIS HANDS. ON THE INTEREST DUE ON THE BONDS ISSUED BY THE TOWNSHIP OF CHEROKEE, IN YORK COUNTY. IN AID OF THE CHARLESTON, CINCINNATI, AND CHICAGO RAILROAD COMPANY.

Preamble.

Whereas, the County Treasurer of the County of York has in his hands four hundred and one and 77-100 dollars, collected by him from the taxpayers of Cherokee Township, York County, to pay interest on bonds issued in aid of the Charleston, Cincinnati, and Chicago Railroad Company; *and whereas*, the said Treasurer of York County has been enjoined by the Court from paying out said fund in the case of the State *ex rel.* Whitesides vs. Neely, County Treasurer of York County; *and whereas*, the Legislature has since passed an Act making the said bonds the debt of and chargeable to the said township; therefore,

30 S. C., 32.

County treasurer to pay out funds in hand.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Treasurer of the County of York be, and he is hereby, authorized and required to pay out the sum of four hundred and one and 77-100 dollars, now in his hands, collected from the taxpayers of Cherokee Township, in York County, on the interest due and accruing since 1st January, 1889, on the bonds issued by the Township of Cherokee, in York County, in aid of the Charleston, Cincinnati, and Chicago Railroad Company.

How paid and applied.

SEC. 2. That the said sum be paid out by the said Treasurer on the warrant of the corporate authorities or agents of said township, to be applied to the interest as aforesaid.

Approved December 24th, A. D. 1891.

AN ACT TO PROVIDE FOR THE WATER SUPPLY OF THE TOWN OF YORKVILLE, IN THIS STATE.

A. D. 1891.

No. 993.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Town Council of the town of Yorkville, in this State, be, and it is hereby, authorized to contract with any person, persons, or corporation for a supply of water for the use of the said town in watering its streets and for the extinguishment of fires for a term of not exceeding twenty-five years, at an annual cost not exceeding fifteen hundred dollars.

Town council
authorized to
contract for
water supply.

SEC. 2. That to meet the annual cost of the water supply that may be contracted for in pursuance of the authority given in Section one of this Act, the Town Council of the town of Yorkville, in this State, be, and it is hereby, authorized to levy an annual tax, in addition to any other taxes now or hereafter authorized by law, not to exceed three mills on the dollar, of all taxable property, real and personal, held and owned within the limits of the said town on the first day of January of the year in which such levy is made, which special tax, so levied, shall be collected at the same time, and in the same manner, and along with the ordinary annual tax; and the penalty for non-payment of such tax shall be the same as is provided in the case of the ordinary annual tax.

Annual tax levy

Collection.

Penalty for
non-payment.

SEC. 3. That the Town Council of the town of Yorkville, in this State, be, and it is hereby, authorized to subscribe to the capital stock of any corporation that may hereafter be organized for the purpose of erecting and managing the works necessary for supplying water for the use of said town, and for the use of the inhabitants thereof: *Provided*, That the said Town Council shall not be authorized to subscribe for more than two-fifths of the entire capital stock, nor for so much if two-fifths of the same shall exceed the par value of ten thousand dollars: *Provided further*, That before the said Town Council of the said town shall be authorized to make the subscription, which shall be in bonds of the said town, the matter shall be first submitted to the qualified voters of the said town, in the manner provided for in Section twelve of the charter of the town.

Subscription to
water supply cor-
poration.

Limit.

To be approved
by electors.

SEC. 4. That this Act shall take effect on the first day of February, 1892.

When to
take effect.

Approved December 18th, A. D. 1891.

A. D. 1891. **AN ACT TO AMEND SECTION 8 OF AN ACT ENTITLED "AN ACT
TO CHARTER THE TOWN OF YORKVILLE, IN THE STATE OF
No. 994. SOUTH CAROLINA," APPROVED DECEMBER 23D, 1886.**

A. A. 1886, § 8,
19 Stat., 580,
amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 8 of an Act entitled "An Act to charter the town of Yorkville, in the State of South Carolina," approved December 23d, 1886. be, and the same is hereby, amended so as to read as follows :

SECTION 8. The Town Council shall have power and authority to impose an annual tax, not to exceed two mills upon the dollar, for ordinary town purposes, on all the real and personal property within the corporate limits of the town, and to lay a tax upon all dogs and upon all pleasure carriages, barouches, omnibuses, carts and wagons used for hire or public employment within said corporate limits; and charge and collect in advance a license tax upon every show or exhibition within said town, and also upon every pool or billiard table kept for gain or profit; and said Town Council shall further have the power and authority to require all transient persons, companies or corporations engaged in any business in said town for a less period than one year to pay a license tax not exceeding the sum of one hundred dollars.

Annual tax levies.
Special taxes.
Exhibitions.
Pool, &c., tables.
License tax on transients.

Approved December 22nd, A. D. 1891.

No. 995. **AN ACT TO AUTHORIZE THE TOWN COUNCIL OF ROCK HILL, SOUTH CAROLINA, TO ISSUE BONDS FOR THE PURPOSE OF DEFRAYING EXPENSES ALREADY INCURRED IN IMPROVING THE STREETS AND FOR FURTHER IMPROVING THE STREETS OF SAID TOWN, AND TO PROVIDE FOR THE PAYMENT OF THE INTEREST ON THE SAME.**

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Town Council of Rock Hill shall have the power and are hereby authorized to issue bonds of said town on or before the

Issue of bonds.

tenth day of January, 1892, to the amount of ten thousand dollars, for the purpose of defraying the debts and expenses already incurred in the improvement of the streets of said town and for the purpose of further improving the streets and ways of said town. said bonds to be issued in the denomination of ten bonds of the denomination of fifty dollars each, ten bonds of the denomination of one hundred dollars each, and seventeen bonds of the denomination of five hundred dollars each, and to be made payable in twenty years, with interest payable semi-annually on the tenth day of January and July of each year, at the rate of six per centum per annum, and said bonds shall be non-taxable by the municipal authorities of the said town of Rock Hill, and the interest coupons on said bonds when due to be receivable in payment of all taxes levied by or due to said town.

A. D. 1891.

Purposes.

Denomination.

Maturity and interest.

Exempt from town taxes. Coupons receivable for taxes.

SEC. 2. That the money arising from the sale or hypothecation of said bonds shall be used exclusively for the purposes set out in Section 1 of this Act, and to this end shall be expended under the direction and control of the Town Council of Rock Hill.

Application of proceeds.

SEC. 3. That the Town Council of Rock Hill shall semi-annually, at such place as they may fix and determine, pay the interest due on said bonds, and for this purpose the said Town Council, in addition to the powers already conferred, shall be and they are hereby authorized and required to levy such tax upon the real and personal property assessed for taxation in said town as may be deemed necessary to pay the interest on said bonds which may become due in each and every year until the whole of said bonds be paid.

Payment of interest. Annual tax levies.

SEC. 4. That this Act shall take effect immediately after its approval.

When to take effect.

Approved December 16th, A. D. 1891.

A. D. 1891.

AN ACT TO INCORPORATE THE PRESBYTERIAN HIGH SCHOOL.

No. 996.

	SECTION 1. <i>Be it enacted</i> by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
Incorporation.	W. M. Anderson, J. F. Reid, D. Hutchison, J. M. Cherry, W. H. Stewart, George Summey, T. R. English, C. W. Humphreys, J. M. Beatty, and their successors in office be, and they are hereby, created and constituted a body politic and corporate, to be
Name and purpose.	known by the name and style of The Presbyterian High School, a training school for boys, located in the town of Rock Hill, in the State of South Carolina, and as such, and by the said name
Powers.	of The Presbyterian High School, shall be capable and liable in law and equity to sue and be sued, plead and be impleaded; shall have and keep a common seal, and may alter the same at will, and to make such rules and by-laws for the regulation and government of said High School as they may deem necessary: <i>Provided</i> , Said by-laws and rules be not repugnant to the Constitution and laws of this State and of the United States.
Officers, professors, &c.	SEC. 2. That the said corporation shall have power to elect and appoint all officers, professors, and teachers, and to remove them at discretion, and to fill such vacancies as may occur; to provide rules and regulations to govern the conduct of officers,
Discipline and studies.	professors, teachers, and students, and the course of studies to be pursued by the students; to confer degrees and award diplomas, and such other honorary distinctions to graduates as are
Degrees and diplomas.	common to institutions of similar grade.
Property rights.	SEC. 3. The said corporation shall have power to hold real
Loans and mortgages.	and personal property acquired; to borrow money for the use and benefit of the said, The Presbyterian High School, to an amount not exceeding one hundred thousand dollars, and to make and execute mortgages on the real and personal property of said corporation to secure the payment of same; to have and enjoy every right and privilege, power and franchise, incident and belonging to similar incorporate bodies; to take and hold by donation, bequest, or purchase real and personal property for the benefit and use of the said, The Presbyterian High School, to any amount not exceeding two hundred thousand dollars.
Other rights.	
May hold by purchase, &c.	
Limit.	
Board of trustees.	SEC. 4. The Board of Trustees of said, The Presbyterian High School, shall consist of nine members, and shall be elected by the officers of the white Presbyterian churches of Rock Hill and Bethel Presbytery, in such manner, at such time, and for such term or terms of years as may be provided in the by-laws

of said corporation, and until such election for trustees shall be held, the said Board of Corporators, to wit: W. M. Anderson, J. F. Reid, D. Hutchison, J. M. Cherry, W. H. Stewart, George Summey, T. R. English, C. W. Humphreys, and J. M. Beatty, shall be, and are hereby, constituted the Board of Trustees of the said, The Presbyterian High School.

A. D. 1891.

First board.

SEC. 5. That whenever any vacancy shall occur by death, resignation or removal from office, the Board of Trustees may, by a majority vote of those present at any legal meeting, elect a person to fill such vacancy, who shall serve only for the unexpired term.

Vacancy.

SEC. 6. That at any annual meeting of the Board of Trustees of the said, The Presbyterian High School, or adjournment thereof, five members shall constitute a quorum.

Quorum.

SEC. 7. That this Act shall be deemed a public Act, and continue of force and effect until repealed.

Public Act.
Duration.

Approved December 23rd, A. D. 1891.

AN ACT TO INCORPORATE THE CHEROKEE LOAN AND SAVINGS BANK. No. 997.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following named persons, viz.: D. D. Gaston, D. S. Brown, W. B. DeLoach, J. T. Darwin, J. H. Bruce and G. W. Moore, together with such other persons who now are, or may hereafter be, associated with them, be, and they are hereby, declared a body politic and corporate by the name and style of the "Cherokee Loan and Savings Bank," to be located at Blackburg, S. C.

Incorporation.

Name and
location.

SEC. 2. That the capital stock of said corporation shall consist of not less than two hundred shares nor more than five thousand shares of the par value of one hundred dollars each, to be paid in by successive monthly instalments of sixty cents on each share until the full amount of one hundred dollars be paid thereon: *Provided*, That, when the said shares shall become of the marketable value of one hundred dollars each, re-

Capital stock.

How paid.

Certificates of
stock.

A. D. 1891.

Rights and liabilities of shareholders.

gardless of the amount paid in on each share, the said corporation shall have power if they so desire to issue paid up certificates to the stockholders thereof representing their respective shares therein. The said shares shall be held, transferred, assigned and pledged, and the holders thereof be subject to such fines and forfeitures for default in their payment, according to such regulations as may be prescribed by the by-laws of said corporation.

Voting by stockholders.

SEC. 3. Each stockholder, at all elections and all meetings of the corporation, shall have one vote for each share. If the capital stock owned by one stockholder exceed the number of fifteen, such stockholder shall be allowed one vote for each five shares owned by him in addition thereto; and the said corporation shall have authority in its by-laws to make such regulations as may be deemed proper for the representation, by proxy, of such stockholders as may be absent at such elections and meetings.

Proxies.

Deposits by married women and minors.

When any deposit is made by a person being a married woman or minor, the said corporation may pay to such person such sum or sums so deposited on the check, order, or receipt of such depositor, which said check, order, or receipt shall be a lawful discharge therefor.

Rights and limitations.

SEC. 4. That said corporation shall have, and is hereby invested with, all the powers, rights, and privileges, and is hereby subjected to all the liabilities and restrictions contained in the Act entitled "An Act to provide for and regulate the incorporation of banks in this State," approved December 24th, A. D. 1885.

19 Stat., 212.

Public Act.

Duration.

SEC. 5. That this Act shall be deemed and taken as a public Act, and shall continue in force for the term of thirty years, and until the final adjournment of the General Assembly meeting next thereafter.

Approved December 24th, A. D. 1891.

NOTE.—For Act relating to application of taxes paid by the Charleston, Cincinnati & Chicago Railroad Company in York County, see *ante* No. 919, p. 1401.

APPENDIX.

LIST OF CHARTERS

GRANTED BY THE SECRETARY OF STATE.

Under the provisions of the Act of December 23rd, 1886 (19 Stat., 540), entitled "An Act to provide for the formation of corporations under general laws," and Acts amending the same, and reported by the Secretary of State to the General Assembly in his Report of November 1, 1891.

ADVOCATE PUBLISHING COMPANY.

Incorporated to do a general printing and publishing business.

Location—Anderson, S. C.

Name of Corporators—W. A. Neal, T. H. Burriss, J. B. Douthit, R. S. Hill, and G. P. Brown.

Amount of Capital Stock—Three thousand dollars. Par value, ten dollars each.

Date of Charter, 8th April, 1891.

THE AIKEN FIRE AND ORNAMENTAL BRICK COMPANY.

Incorporated to manufacture brick, tiles, etc.

Location—Aiken, S. C.

Names of Corporators—John E. Anness and James J. Livingood.

Amount Capital Stock—Twenty thousand dollars. Par value, one hundred dollars each.

Date of Charter—6th June, 1891.

AIKEN OPERA HOUSE ASSOCIATION.

Incorporated to maintain an opera and public library building.

Location—Aiken, S. C.

Names of Corporators—R. A. Chafee, John Staubs, Henry Hahn, H. H. Hall, and John Gary Evans.

Amount Capital Stock—Fifteen thousand dollars. Par value, fifty dollars each.

Date of Charter—20th July, 1891.

THE ALLIANCE WAREHOUSE COMPANY OF GREENWOOD,
S. C.

Incorporated to do a general storage business, in baled cotton, corn, etc.

Location—Greenwood, S. C.

Names of Corporators—Dr. J. A. Marshall, J. B. Sample, J. L. Hugbey, J. R. Blake, Jr., and E. F. S. Giles.

Amount of Capital Stock—Forty-five hundred dollars. Par value, five dollars each.

Date of Charter—11th December, 1890.

THE ALTA VISTA LAND AND IMPROVEMENT COMPANY.

Incorporated to buy, improve, and sell real estate.

Location—Aiken, S. C.

Names of Corporators—Clarence V. Walker, Archibald H. Baker, William P. Parks, and William H. Cozart.

Amount Capital Stock—Fifteen thousand dollars. Par value, one hundred dollars per share.

Date of Charter—26th June, 1891.

ANDERSON IMPROVEMENT COMPANY.

Incorporated to improve property, buy and sell real estate.

Location—Anderson, S. C.

Names of Corporators—J. L. Tribble and W. W. Humphreys.

Amount Capital Stock—One hundred thousand dollars. Par value, one hundred dollars each.

Date of Charter—25 September, 1891.

ANDERSON STEAM LAUNDRY COMPANY.

Incorporated to do a general laundry business.

Location—Anderson, S. C.

Names of Corporators—R. A. Mayfield, R. S. Ligon, J. S. Fowles, J. M. Cathcart, and J. R. Vandiver.

Amount Capital Stock—Twenty-six hundred dollars. Par value, twenty-five dollars each.

Date of Charter—1st April, 1891.

ARCHDALE PHOSPHATE MINING COMPANY.

Incorporated to mine and remove phosphate rock.

Location—Archdale Plantation, on Ashley River.

Names of Corporators—G. E. Gibbon and J. A. Hertz.

Amount Capital Stock—Twelve thousand dollars. Par value, one hundred dollars each.

Date of Charter—20th August, 1891.

BANK OF ANDERSON.

Incorporated to do a general banking and fire insurance business.

Location—Anderson, S. C.

Names of Incorporators—J. J. Fretwell, J. N. Vandiver, F. T. Wilhite, R. S. Ligon, A. C. Strickland, W. D. Brown, Sylvester Bleckley, and J. M. Sullivan.

Amount Capital Stock—Seventy-five thousand dollars. Par value, fifty dollars each.

Date of Charter—22nd August, 1891.

BANK OF BRANCHVILLE.

Incorporated to do a general banking business.

Location—Branchville, S. C.

Names of Corporators—A. F. H. Dukes, W. H. Reedish, B. H. Moss, J. F. Pearlstein, and F. M. Stokes.

Amount Capital Stock—Twenty thousand dollars. Par value, twenty-five dollars each.

Date of Charter—10th February, 1891.

BANK OF THE CAROLINAS.

Incorporated to do a general banking business.

Location—Florence, S. C.

Names of Corporators—John P. Coffin and C. P. Painter.

Amount Capital Stock—Twenty thousand dollars. Par value, twenty-five dollars each.

Date of Charter—29th December, 1890.

BANK OF CHESTER.

Incorporated to do a general banking business.

Location—Chester, S. C.

Names of Corporators—William Gregg, Richard H. Cousar, and Paul Hemphill.

Amount Capital Stock—Seventy-five thousand dollars. Par value, one hundred dollars each.

Date of Charter—28th February, 1891.

BANK OF GEORGETOWN.

Incorporated to do a general banking business.

Location—Georgetown, S. C.

Names of Corporators—A. A. Springs, I. Sittenfield, J. B. Steele, I. S. Ehrich, M. Moses, W. D. Morgan, and J. I. Hazard.

Amount Capital Stock—Fifty thousand dollars. Par value, one hundred dollars each.

Date of Charter—1st April, 1891.

BANK OF LOWNDESVILLE.

Incorporated to do a general banking business.

Location—Lowndesville, S. C.

Names of Corporators—P. B. Franks, E. R. Horton, J. P. Chambers, Thos. A. Sherard, A. J. Clinkscales, Arthur L. Latimer, J. B. Moseley, Jas. M. Baker, and Theop. Baker.

Amount of Capital Stock—Twenty thousand dollars. Par value, one hundred dollars each.

Date of Charter—16th of February, 1891.

BANK OF TIMMONSVILLE.

Incorporated to do a general banking business.

Location—Timmons ville, S. C.

Names of Corporators—John McSween, D. H. Traxler, C. A. Smith, H. L. Morris, and Frank C. Lechner.

Amount Capital Stock—Twenty-five thousand dollars. Par value, fifty dollars each.

Date of Charter—24th January, 1891.

BATESBURG WAREHOUSE COMPANY.

Incorporated to do a general warehouse business.

Location—Batesburg, S. C.

Names of Corporators—J. H. Huiett, L. D. Cullum, N. A. Bates, T. J. Kernaghan, U. X. Gunter, E. C. Ridgell, A. B. Watson, and W. B. Plunkett.

Amount Capital Stock—Five thousand dollars. Par value, twenty-five dollars each.

Date of Charter—25 March, 1891.

BEAR SWAMP MINING COMPANY.

Incorporated to do a general mining and fertilizer business.

Location—Rose Mining Company, Berkeley County.

Names of Corporators—Laurens N. Chiselm, Charles H. Drayton, E. Horry Frost, Christopher P. Poppenheim, and Arthur B. Rose.

Amount Capital Stock—Twenty-five thousand dollars. Par value, one hundred dollars.

Date of Charter—14th April, 1891.

BEE HIVE ALLIANCE AND EXCHANGE COMPANY.

Incorporated to farm, deal in farmers' supplies, agricultural implements, and merchandise, &c.

Location—Ridgeville, S. C.

Names of Corporators—A. H. Humbert, E. W. Williams, A. S. Green, and Geo. M. Trenholm.

Amount Capital Stock—Five thousand dollars. Par value, ten dollars each.

Date of Charter—7th March, 1891.

BISHOPVILLE BUILDING AND LOAN ASSOCIATION.

Incorporated to do a building and loan business.

Location—Bishopville, S. C.

Names of Corporators—R. Y. McLeod, R. S. Galloway, and G. F. Parrott.

Amount Capital Stock—One hundred thousand dollars. Par value, two hundred dollars each.

Date of Charter—13th October, 1891.

BOLLMAN BROTHERS COMPANY.

Incorporated to buy and sell merchandise.

Location—Charleston, S. C.

Names of Corporators—Diedrich Bollman, B. Wohlers, H. Schachte, E. Plenge, and T. L. Bollman.

Amount Capital Stock—Two hundred thousand dollars. Par value, one hundred dollars each.

Date of Charter—18th March, 1891.

BOWMAN MANUFACTURING COMPANY.

Incorporated to manufacture and deal in lumber, &c.

Location—Bowman, S. C.

Names of Corporators—Samuel Dibble, B. H. Moss, Rhett L. Shuler, John W. Berry, and Samuel Dibble, Jr.

Amount Capital Stock—Five thousand dollars. Par value, twenty-five dollars each.

Date of Charter—29th May, 1891.

C. & G. S. MOWER COMPANY.

Incorporated to do a general mercantile business.

Location—Newberry, S. C.

Names of Corporators—G. S. Mower, B. M. Dennis, J. W. Chapman, and J. W. Chappell.

Amount Capital Stock—Twenty thousand dollars. Par value, one hundred dollars each.

Date of Charter—1st September, 1891.

CAMDEN LAND AND IMPROVEMENT COMPANY.

Incorporated to buy and sell real estate and personal property.

Location—Camden, S. C.

Names of Corporators—P. T. Villepigue, C. J. Shannon, Jr., S. M. Rosenberger, M. Baum, A. D. Kennedy, J. C. Man, and W. M. Shannon.

Amount Capital Stock—Ten thousand dollars. Par value, one hundred dollars each.

Date of Charter—9th July, 1891.

CAROLINA COTTON COMPANY.

Incorporated to export and handle cotton upon commission or otherwise.

Location—Sumter, S. C.

Names of Corporators—S. W. Mayes, Jr., G. L. Oliver, J. Settegart, and D. Flargill.

Amount Capital Stock—Three thousand dollars. Par value, one hundred dollars each.

Date of Charter—19th October, 1891.

CAROLINA INVESTMENT COMPANY OF CHARLESTON,
S. C.

Incorporated to do a general merchandise business.

Location—Charleston, S. C.

Names of Corporators—G. W. Murray, W. J. Brodie, T. L. Marshall, W. D. Crum, A. L. Macbeth, H. Harney, S. W. Robinson, and S. W. Bennett.

Amount Capital Stock—Ten thousand dollars. Par value, two dollars each.

Date of Charter—9th October, 1891.

CAROLINA LIGHT AND POWER COMPANY.

Incorporated to furnish electric motive power, and running street cars, &c.

Location—Aiken, S. C.

Names of Corporators—R. A. Chafee, B. F. Turner, and G. W. Croft.

Amount Capital Stock—Twenty thousand dollars. Par value, fifty dollars each.

Date of Charter—9th July, 1891.

CAROLINA PRINTING AND MANUFACTURING COMPANY.

Incorporated to do a general printing business.

Location—Charleston, S. C.

Names of Corporators—A. F. C. Cramer, J. H. C. Weller, J. W. Peterman, and Geo. M. Trenholm.

Amount Capital Stock—Fifteen thousand dollars. Par value, twenty-five dollars each.

Date of Charter—10th February, 1891.

Charter surrendered 12th March, 1891.

CAPE ROMAIN LAND AND IMPROVEMENT COMPANY.

Incorporated to construct hotels, plant and raise oysters, terrapins, &c., improve lands, &c.

Location—Charleston, S. C.

Names of Corporators—E. H. Jackson, T. R. McGahan, A. S. Brown, R. C. Barkley and Samuel J. Pregnall.

Amount of Capital Stock—Ten thousand dollars. Par value, one hundred dollars each.

Date of Charter—27th July, 1891.

CHARLESTON EXPORTING AND SHIPPING COMPANY.

Incorporated to do trading in cotton, naval stores, lumber and other merchandise, and for doing a general shipping and commission business.

Location—Charleston, S. C.

Names of Corporators—B. F. McCabe, B. Manton and T. M. Price.

Amount Capital Stock—Five thousand dollars. Par value, fifty dollars each.

Date of Charter—13th November, 1890.

CHARLESTON LEAD COMPANY.

Incorporated to manufacture and sell lead shot.

Location—Charleston, S. C.

Names of Corporators—James Graydon, Thomas A. Naylor, F. S. Rodgers, J. B. E. Sloan, George A. LeMaistre, A. M. Rhett, W. Brantford Frost, George M. Trenholm and Frank E. Taylor.

Amount Capital Stock—Thirty-five thousand dollars. Par value, one hundred dollars each.

Date of Charter—24th February, 1891.

THE CHARLESTON REAL ESTATE AND INVESTMENT
COMPANY.

Incorporated to buy and sell real estate, bonds, and mortgages, &c.

Location—Charleston, S. C.

Names of Corporators—T. J. Price, F. J. Devereux, W. F. Maguire.

Amount Capital Stock—Ten thousand dollars. Par value, one hundred dollars each.

Date of Charter—28th November, 1890.

CHERAW MACHINE WORKS.

Incorporated to carry on machine and repair shops for manufacturing, repairing, and dealing in cotton presses, saw mills, gins, engines, and other kinds of machinery.

Location—Cheraw, S. C.

Names of Corporators—J. W. McKay, W. R. Godfrey, W. T. McKay, W. A. Henshaw, R. M. McKay, and Edward McIver.

Amount Capital Stock—Thirty-five thousand dollars. Par value, fifty dollars each.

Date of Charter—17th April, 1891.

CHESTER DEVELOPMENT COMPANY.

Incorporated to buy, improve, and sell real estate, &c., &c.

Location—Chester, S. C.

Names of Corporators—E. H. Stewart, Jas. S. Simons, L. W. Jamison, James K. Henry, Paul Hemphill, and E. C. Stahn.

Amount Capital Stock—Two hundred thousand dollars. Par value, one hundred dollars each.

Date of Charter—21st October, 1891.

THE CHICORA FERTILIZER COMPANY.

Incorporated to mine, manufacture, and manipulate and sell fertilizers, etc.

Location—Charleston, S. C.

Names of Corporators—A. S. J. Perry, L. A. O'Neil, G. W. Wagner, C. W. Seignious, and J. C. H. Claussen.

Amount Capital Stock—Three hundred thousand dollars. Par value, one hundred dollars each.

Date of Charter—15th November, 1890.

CITIZENS' SAVINGS BANK.

Incorporated to do a general banking and loan business.

Location—Barnwell, S. C.

Names of Corporators—N. F. Kirkland, Sr., J. A. Tobin, W. J. Duncan, A. T. Woodward, G. D. Bellinger, and P. M. Buckingham.

Amount Capital Stock—Twenty-five thousand dollars. Par value, one hundred dollars each.

Date of Charter—1st April, 1891.

CITY BANK.

Incorporated to do a general banking business.

Location—Greenwood, S. C.

Names of Corporators—D. A. P. Jordan, G. A. Barksdale, A. St. C. Lee, J. W. Duckett, and R. W. Major.

Amount Capital Stock—Sixty thousand dollars. Par value, fifty dollars each.

Date of Charter—20th August, 1891.

COLORED INDUSTRIAL, MECHANICAL, AND AGRICULTURAL FAIR ASSOCIATION.

Incorporated to hold industrial fairs, &c.

Location—Darlington, S. C.

Names of Corporators—J. A. Smith, H. A. M. Myers, S. K. Smith, Robt. Wilson, F. S. Solomons, P. J. Johnson, D. P. Thompson, and G. H. Keith.

Amount of Capital Stock—One thousand dollars. Par value, five dollars each.

Date of Charter—26th October, 1891.

COLUMBIA HEIGHTS LAND AND IMPROVEMENT COMPANY.

Incorporated to buy and sell real estate.

Location—Near City of Columbia, S. C.

Names of Corporators—Jasper Miller, W. H. Lyles, and E. C. Haynsworth.

Amount Capital Stock—Fifty thousand dollars. Par value, one hundred dollars each.

Date of Charter—17th March, 1891.

THE COLUMBIA SUBURBAN LAND COMPANY.

Incorporated to buy, improve, and sell real estate.

Location—Columbia, S. C.

Names of Corporators—W. A. Clark, James Woodrow, W. H. Lyles, W. G. Childs, J. Q. Marshall, and B. L. Abney.

Amount Capital Stock—Twenty-four thousand dollars. Par value, one hundred dollars each.

Date of Charter—25th May, 1891.

COLUMBIA WATER POWER COMPANY.

Incorporated to secure, by purchase, lease, or grant, the necessary lands, and other properties, privileges and appurtenances, in the Counties of Richland and Lexington, and along the Congaree, Broad and Saluda Rivers, or elsewhere in this State, to engage in the construction of dams, canals, bulkheads, and other works for the purpose of improving water powers, etc.

Location—Columbia, S. C.

Names of Corporators—Daniel R. Sortwell and George Wallace.

Amount Capital Stock—Six hundred thousand dollars. Par value, one hundred dollars each.

Date of Charter—5th October, 1891.

CONGAREE WATER POWER COMPANY.

Incorporated to build, construct, and erect houses, mills, manufactories, and water ways, etc., etc.

Location—Columbia, S. C.

Names of Corporators—W. K. Greenfield, B. F. Bailey, Rudolph Siegling, and John F. Ficken.

Amount Capital Stock—Forty-two thousand dollars. Par value, one hundred dollars each.

Date of Charter—21st February, 1891.

THE COTTON SHOALS ELECTRIC LIGHT AND POWER
COMPANY.

Incorporated to operate electric power plants.

Location—Graniteville, S. C.

Names of Corporators—Alvin Etheridge and W. A. Edwards.

Amount Capital Stock—Ten thousand dollars. Par value, fifty dollars each.

Date of Charter—18th June, 1891.

COWPENS FARMERS' AND LABORERS' CO-OPERATIVE
STORE.

Incorporated to do a general mercantile business.

Location—Cowpens, S. C.

Names of Corporators—John Dewberry, W. D. Webber, and John O. Coveney.

Amount Capital Stock—One thousand dollars. Par value, five dollars each.

Date of Charter—11th March, 1891.

DAGGETT PRINTING COMPANY.

Incorporated to do a general printing business.

Location—Charleston, S. C.

Names of Corporators—Walter L. Daggett, H. S. Holmes and R. G. Rhett.

Amount Capital Stock—Eight thousand dollars. Par value, one hundred dollars each.

Date of Charter—11th April, 1891.

DARLINGTON BRICK AND IRON WORKS.

Incorporated to manufacture and deal in all kinds of machinery, engines, boilers, agricultural implements, wagons, &c.

Location—Darlington, S. C.

Names of Corporators—W. C. Coker, Jas. C. Wilcox and Geo. H. Edwards.

Amount Capital Stock—Twenty thousand dollars. Par value, one hundred dollars each.

Date of Charter—12th August, 1891.

DARLINGTON FARMERS' ALLIANCE COMPANY.

Incorporated to conduct a general manufacturing merchandise, warehouse and commission business.

Location—Darlington, S. C.

Names of Corporators—E. M. Williamson, Lucas McIntosh and S. B. Gandy.

Amount Capital Stock—Four thousand dollars. Par value, five dollars each.

Date of Charter—19th February, 1891.

DARLINGTON LIGHT, WATER, AND POWER COMPANY.

Incorporated to supply light, water, and power to the town of Darlington, S. C.

Location—Darlington, S. C.

Names of Corporators—W. F. Dargan, C. B. Edwards, and L. N. Cox.

Amount Capital Stock—Twenty-five thousand dollars. Par value, fifty dollars each.

Date of Charter—28th February, 1891.

DARLINGTON PHOSPHATE COMPANY.

Incorporated to manufacture fertilizers and sell the same.

Location—Darlington, S. C.

Names of Corporators—W. J. Alexander, J. J. Ward, G. W. Dargan, C. S. McCullough, and E. O. Woods.

Amount Capital Stock—Seventy thousand dollars. Par value, one hundred dollars each.

Date of Charter—11th August, 1891.

DARLINGTON PLANING MILL AND CONSTRUCTION
COMPANY.

Incorporated to plane and manufacture and sell lumber.

Location—Darlington, S. C.

Names of Corporators—A. W. Welling, M. Bonnoitt, L. S. Welling, C. S. McCullough, and J. J. Ward.

Amount Capital Stock—Twelve thousand dollars. Par value, one thousand dollars each.

Date of Charter—7th March, 1891.

DARLINGTON WATER WORKS COMPANY.

Incorporated to supply water to the town of Darlington, S. C.

Location—Darlington, S. C.

Names of Corporators—C. S. McCullough, Geo. W. Brown, J. J. Ward, E. Keith Dargan, A. Weinberg, A. Nachman, C. Alexander, C. W. Hewitt, and J. Lilienthal.

Amount Capital Stock—Four thousand dollars. Par value, fifty dollars each.

Date of Charter—9th February, 1891.

DUKES' FISHERY.

Incorporated to raise fish, keep pleasure boats, &c.

Location—Dukes' place, near Orangeburg, S. C.

Names of Corporators—John H. Dukes, J. W. H. Dukes, A. L. Dukes, D. E. Dukes, W. Hampton Dukes, and O. B. Dukes.

Amount Capital Stock—Two thousand dollars. Par value, one hundred dollars each.

Date of Charter—19th May, 1891.

EASLEY BANKING COMPANY.

Incorporated to do a general banking business.

Location—Easley, S. C.

Names of Corporators—W. M. Hagood, R. F. Smith, R. F. Lehardt, A. W. Folger, C. C. Hollingsworth, J. E. Boggs, H. A. Richey, and W. D. Glenn.

Amount Capital Stock—Fifty thousand dollars. Par value, twenty-five dollars each.

Date of Charter—14th March, 1891.

EASLEY OIL MILL COMPANY.

Incorporated to manufacture and sell fertilizers, and gin cotton.

Location—Easley, S. C.

Names of Corporators—D. F. Bradley, R. F. Smith, J. E. Robinson, W. M. Hagood, A. G. Wyatt, T. J. Bowen, and H. J. Gignilliat.

Amount of Capital Stock—Fifteen thousand dollars. Par value, twenty-five dollars each.

Date of Charter—10th February, 1891.

EAST-END CANNING AND MANUFACTURING COMPANY
OF ORANGEBURG, S. C.

Incorporated to can and sell all kinds of vegetables, etc.

Location—Orangeburg, S. C.

Names of Corporators—W. M. Sain, J. W. A. Dukes, D. E. Dukes,
and B. Walls.

Amount of Capital Stock—Two thousand dollars. Par value, one
hundred dollars each.

Date of Charter—14th April, 1891.

EMERSON CAR COMPANY.

Incorporated to build, buy, and sell, or lease machines, apparatus
and adjustment for cooling, heating, ventilating railroad cars, and
manufacture and sell railroad cars.

Location—Charleston, S. C.

Names of Corporators—A. F. Ravenel, W. N. Royall, C. M. Ward,
C. S. Gadsden, J. W. Craig, W. M. Connor, J. P. K. Bryan, J. S. Buist,
A. F. C. Cramer, J. R. Smith, A. S. Emerson, S. V. Stewart, F. S.
Rodgers, J. S. Riggs, C. Wilbern, E. H. Jackson, L. A. O'Neill, E. H.
Pringle, Mike Brown.

Amount Capital Stock—Three hundred thousand dollars. Par
value, one hundred dollars each.

Date of Charter—23 March, 1891.

E. MOORE HOTEL COMPANY.

Incorporated to conduct the business of keeping a hotel. .

Location—Charleston, S. C.

Names of Corporators—E. Moore, J. Pinkussohn, and S. Pinkus-
sohn.

Amount Capital Stock—Ten thousand dollars. Par value, one hun-
dred dollars each.

Date of Charter—29th September, 1891.

THE ENTERPRISE CANNERY.

Incorporated to establish a cannery and pickling business.

Location—Moore, S. C.

Names of Corporators—John C. Anderson, C. A. Barry and John P. Fielder.

Amount Capital Stock—One thousand dollars. Par value, ten dollars each.

Date of Charter—6th May, 1891.

ENTERPRISE GINNERY COMPANY.

Incorporated to buy and sell real estate, gin cotton, manufacture brick, ice, doors, sash, blinds, lumber, &c.

Location—Abbeville, S. C.

Names of Corporators—J. Allen Smith and Francis Henry.

Amount Capital Stock—Six thousand dollars. Par value, twenty-five dollars each.

Date of Charter—10th August, 1891.

ENTERPRISE LIME COMPANY.

Incorporated to dig lime rock and manufacture barrels, &c.

Location—Spartanburg, S. C.

Names of Corporators—A. N. Wood, R. S. Lipscomb and M. Pegues.

Amount Capital Stock—Forty thousand dollars. Par value, fifty dollars each.

Date of Charter—5th May, 1891.

EUREKA PHOSPHATE COMPANY.

Incorporated to conduct a general phosphate business.

Location—Near Jacksonboro, S. C.

Names of Corporators—M. E. Hertz and J. A. Hertz.

Amount Capital Stock—Forty thousand dollars. Par value, one hundred dollars each.

Date of Charter—30th December, 1890.

EXCHANGE BANKING AND TRUST COMPANY.

Incorporated to do a general banking and trust business.

Location—Charleston, S. C.

Names of Corporators—George B. Edwards, A. S. J. Perry, James Allen, Wm. M. Bird and J. H. F. Koenig.

Amount Capital Stock—Fifty thousand dollars. Par value, one hundred dollars each.

Date of Charter—9th April, 1891.

EXCHANGE BANK OF CHESTER.

Incorporated to do a general banking business.

Location—Chester, S. C.

Names of Corporators—J. L. Agurs, Joseph Wylie, J. K. Henry, R. A. Love, A. G. Brice and G. W. Gage.

Amount Capital Stock—Seventy-five thousand dollars. Par value, one hundred dollars each.

Date of Charter—8th December, 1891.

FAIRMOUNT YARN MILLS.

Incorporated to manufacture cotton yarn.

Location—Crawfordville, S. C.

Names of Corporators—W. J. Harris, A. J. Dillard, R. L. Bowden, S. T. McCravy, Warren DuPre, and J. N. Lanham.

Amount Capital Stock—Fifty thousand dollars. Par value, one hundred dollars each.

Date of Charter—16th May, 1891.

FARMERS' PUBLISHING COMPANY OF PICKENS COUNTY.
S. C.

Incorporated to publish a newspaper and do a general printing business.

Location—Pickens, S. C.

Names of Corporators—E. S. Griffin, W. T. O'Dell, W. W. F. Bright, J. D. Cureton, C. H. Carpenter, W. H. Thomas, A. W. Folger, J. T. Lewis, and W. A. Hamilton.

Amount Capital Stock—Two thousand dollars. Par value, one dollar each.

Date of Charter—10th January, 1891.

FLORENCE IMPROVEMENT AND MANUFACTURING
COMPANY.

Incorporated to furnish light, heat, and power by electricity, gas, or otherwise, manufacture and sell ice, build water works, street railways.

Location—Florence, S. C.

Names of Corporators—L. N. Cox, Jerome P. Chase, C. L. Stickney, W. J. Brown, and W. A. Brunson.

Amount Capital Stock—Thirty thousand dollars. Par value, one hundred dollars each.

Date of Charter—6th November, 1890.

FLORENCE LOAN AND INVESTMENT COMPANY.

Incorporated to buy and sell real estate, loan money, &c.

Location, Florence, S. C.

Names of Corporators—J. P. Chase, W. D. Heape, D. H. Hanckel, C. D. Bristow, James Allen, C. M. Covington, W. T. Heard, and F. P. Covington.

Amount Capital Stock—Thirty-five thousand dollars. Par value, fifty dollars each.

Date of Charter—2nd May, 1891.

FLORENCE TOBACCO WAREHOUSE COMPANY.

Incorporated to buy and sell leaf tobacco.

Location—Florence, S. C.

Names of Corporators—P. A. Willcox and James Allen.

Amount Capital Stock—Two thousand dollars. Par value, twenty-five dollars each.

Date of Charter—7th September, 1891.

FOWLES LUMBER COMPANY.

Incorporated to do a general lumber business.

Location—Columbia, S. C.

Names of Corporators—J. N. Fowles, Robt. W. Shand, and G. A. Guignard.

Amount of Capital Stock—Twenty thousand dollars. Par value, one hundred dollars each.

Date of Charter—17th February, 1891.

GEORGETOWN ICE COMPANY.

Incorporated to manufacture and sell ice.

Location—Georgetown, S. C.

Names of Corporators—R. E. Fraser, L. S. Ebrich and H. Kamin-ski.

Amount Capital Stock—Eight thousand dollars. Par value, fifty dollars each.

Date of Charter—21st January, 1891.

THE GLOBE PHOSPHATE COMPANY.

Incorporated to manufacture and sell commercial fertilizers, etc.

Location—Columbia, S. C.

Names of Corporators—J. H. Huie, J. R. London, C. J. Iredell, W. H. Lyles, and T. C. Robertson.

Amount Capital Stock—Fifty thousand dollars. Par value, one hundred dollars each.

Date of Charter—19th November, 1890.

THE GRAHAMS MALE AND FEMALE COLLEGIATE IN-STITUTION.

Incorporated to do all business connected with said institute of learning.

Location—Grahams, S. C.

Names of Corporators—J. G. H. Guess, J. E. Steadman, H. C. Rice, J. C. Metz, G. W. Goolsby, S. D. M. Guess, and J. M. Inabnett.

Amount Capital Stock—Two thousand dollars. Par value, twenty dollars each.

Date of Charter—26th November, 1890.

GREENVILLE FARMERS' ALLIANCE WAREHOUSE COMPANY.

Incorporated to do a general warehouse business.

Location—Greenville, S. C.

Names of Corporators—C. A. Parkins, R. W. Anderson, and John H. Latimer.

Amount Capital Stock—Five thousand five hundred dollars. Par value, two dollars and fifty cents each.

Date of Charter—28th January, 1891.

GREENWOOD COMPRESS COMPANY.

Incorporated to compress cotton for shipment, &c.

Location—Greenwood, S. C.

Names of Corporators—Robert G. Hitt and John A. Sibley.

Amount Capital Stock—Fifty thousand dollars. Par value, one hundred dollars each.

Date of Charter—7th March, 1891.

GULF PHOSPHATE MINING AND MANUFACTURING COMPANY.

Incorporated to do a general phosphate business.

Location—Charleston, S. C.

Names of Corporators—E. C. Williams, Jr., A. J. Salinas, and C. Edward Salinas.

Amount Capital Stock—Two hundred and forty thousand dollars. Par value, one hundred dollars each.

Date of Charter—5th February, 1891.

HARBOR AND BAR NAVIGATION COMPANY.

Incorporated to manufacture and sell schooners, vessels, boats, etc.

Location—Charleston, S. C.

Names of Corporators—George H. Swan, James J. Igoe, Henry Smith, and Samuel Hancock.

Amount Capital Stock—Seventeen thousand and five hundred dollars. Par value, five hundred dollars each.

Date of Charter—7th January, 1891.

HOLLER AND ANDERSON BUGGY COMPANY.

Incorporated to manufacture and sell buggies, carriages, wagons, road carts, &c.

Location—Rock Hill, S. C.

Names of Corporators—A. D. Holler, John G. Anderson, A. E. Holler, and W. J. Roddey.

Amount Capital Stock—Twenty-five thousand dollars. Par value, one hundred dollars each.

Date of Charter—3d February, 1891.

HOLLY HILL CANNING FACTORY.

Incorporated to preserve and can fruits, &c.

Location—Holly Hill, S. C.

Names of Incorporators—J. L. B. Gilmore, P. C. May, T. W. Shuler, J. W. Matheney, and J. M. Owens.

Amount Capital Stock—Two thousand dollars. Par value, ten dollars each.

Date of Charter—25th May, 1891.

HOME BUILDING AND LOAN ASSOCIATION.

Incorporated to do a building and loan business.

Location—Clinton, S. C.

Names of Corporators—W. E. Owens, R. Z. Wright, W. J. Bailey, J. P. Little, and J. A. Bailey.

Amount Capital Stock—One hundred thousand dollars. Par value, two hundred dollars.

Date of Charter—21st October, 1891.

HOME STANDARD FERTILIZER AND IMPROVEMENT
COMPANY.

Incorporated to manufacture, buy, and sell fertilizers, real estate, &c.

Location—Travellers' Rest, S. C.

Names of Corporators—Thomas B. Cunningham, Jasper E. Watson, Willie W. Benson, and John J. Watson.

Amount Capital Stock—Fifteen thousand dollars. Par value, one hundred dollars each.

Date of Charter—June 1st, 1891.

IMPERIAL MATTRESS AND WOODENWARE MANUFACTURING
COMPANY.

Incorporated to manufacture and sell spring beds, mattresses, brooms, etc.

Location—Charleston, S. C.

Names of Corporators—George E. Toale, Joseph B. Drake, E. B. Milor, George J. Siegwald and Robert H. Simmons.

Amount Capital Stock—Ten thousand dollars. Par value, one hundred dollars each.

Date of Charter—10th January, 1891.

INGLESIDE MINING AND MANUFACTURING COMPANY.

Incorporated to dig, mine and utilize marl and manufacture and sell same.

Location—Ingleside, Berkeley County, S. C.

Names of Corporators—F. W. Wagener, Geo. A. Wagener, A. S. J. Perry, W. H. Hard.

Amount Capital Stock—Fifteen thousand dollars. Par value, twenty-five dollars each.

Date of Charter—10th July, 1891.

IRON DISTRICT FIRE INSURANCE COMPANY OF SPARTANBURG, S. C.

Incorporated to do a general fire insurance business.

Location—Spartanburg, S. C.

Names of Corporators—D. R. Duncan, W. E. Burnett, J. A. Heneman, George Cofield, J. B. Cleveland, Geo. W. Nicholls, Joseph Walker, J. F. Cleveland, Jno. H. Montgomery, John W. Carlisle, W. S. Manning, W. K. Blake, and A. H. Twichell.

Amount Capital Stock—One hundred thousand dollars. Par value, one hundred dollars each.

Date of Charter—8th January, 1891.

JENKINS SAFETY CATCH GUN COMPANY.

Incorporated to manufacture and sell safety gun locks.

Location—Rock Hill, S. C.

Names of Corporators—W. E. Jenkins, David Hutchison, W. L. Roddey, W. B. Wilson, Jr., Fred Mobley, Louis Sherfesees, J. G. Steele, J. R. London and B. M. Fewell.

Amount Capital Stock—Twenty thousand dollars. Par value, fifty dollars each.

Date of Charter—29th October, 1891.

JOHNSTON MANUFACTURING COMPANY.

Incorporated to manufacture and deal in dressed lumber, shingles, doors, sash and blinds.

Location—Johnston, S. C.

Names of Corporators—W. D. Turner, D. T. Ouzts, T. R. Denny, W. M. Hazel and P. L. Wright.

Amount Capital Stock—Five thousand dollars. Par value, one hundred dollars each.

Date of Charter—29th April, 1891.

THE JOHNSTON TELEPHONE COMPANY.

Incorporated to transmit messages.

Location—Johnston, S. C.

Names of Corporators—W. M. Hazel, H. W. Crouch, R. A. Turner, W. G. Kernaghan, J. M. Smyly and P. L. Wright.

Amount Capital Stock—One thousand dollars. Par value, ten dollars each.

Date of Charter—14th November, 1890.

JOHNSTON WAREHOUSE COMPANY.

Incorporated to do a general warehouse and commission business.

Location—Johnston, S. C.

Names of Corporators—W. D. Turner, R. A. Turner, W. S. Wills, D. T. Ouzts, W. M. Hazel and W. G. Kernaghan.

Amount Capital Stock—Five thousand dollars. Par value, twenty-five dollars each.

Date of Charter—25th February, 1891.

KERSHAW COUNTY MANUFACTURING COMPANY.

Incorporated to manufacture cotton yarns, fabrics, &c.

Location—At or adjoining the town of Camden, S. C.

Names of Corporators—J. C. Man, D. M. Bothune, T. J. Kirkland, B. G. Team, C. J. Shannon, Jr., B. M. Pearce, and E. C. Zemp.

Amount Capital Stock—Thirty thousand dollars. Par value, ten dollars each.

Date of Charter—8th May, 1891.

KILLOUGH MUSIC COMPANY.

Incorporated to buy and sell pianos, organs, and musical merchandise of all kinds.

Location—Florence, S. C.

Names of Corporators—J. P. Chase, J. P. McNeill, J. P. Coffin, W. J. Brown, S. A. Gregg, Jr., F. P. Covington, F. U. Lake, and J. P. Killough.

Amount Capital Stock—Ten thousand dollars. Par value, twenty-five dollars each.

Date of Charter—16th March, 1891.

LAURENS CANNING COMPANY.

Incorporated to can, buy, and sell fruits and vegetables, &c.

Location—Laurens, S. C.

Names of Corporators—W. H. Dial, J. T. Johnson, W. W. Ball, E. H. Wilkes, N. B. Dial, and H. Y. Simpson.

Amount Capital Stock—Two thousand dollars. Par value, ten dollars each.

Date of Charter—15th July, 1891.

LAURENS LAUNDRY COMPANY.

Incorporated to do a general laundry business.

Location—Laurens, S. C.

Names of Corporators—G. B. Anderson, W. A. Jamison, W. H. Dial, C. C. Featherstone, and N. B. Dial.

Amount Capital Stock—Two thousand dollars. Par value, ten dollars each.

Date of Charter—1st April, 1891.

LEXINGTON MANUFACTURING COMPANY.

Incorporated to manufacture and sell cotton goods.

Location—Lexington, S. C.

Names of Corporators—W. P. Roof, W. J. Assman, C. M. Efrid, and Allen Jones.

Amount Capital Stock—Fifty thousand dollars. Par value, one hundred dollars each.

Date of Charter—17th March, 1891.

LOAN AND EXCHANGE BANK OF JOHNSTON, S. C.

Incorporated to do a general banking business.

Location—Johnston, S. C.

Names of Corporators—P. L. Wright, J. D. Eidson, C. D. Kenny, and E. G. Morgan.

Amount Capital Stock—Twenty thousand dollars. Par value, fifty dollars each.

Date of Charter—29th August, 1891.

MAIN STREET REAL ESTATE COMPANY.

Incorporated to buy and sell real estate.

Location—Greenville, S. C.

Names of Corporators—B. F. Perry, W. W. Gilreath, J. A. Mooney, J. F. Richardson, R. Y. Hellams, and Lewis W. Parker.

Amount Capital Stock—Six thousand dollars. Par value, one hundred dollars each.

Date of Charter—24th January, 1891.

MANUFACTURING COMPANY OF FLORENCE.

Incorporated to manufacture lumber, build houses, etc.

Location—Florence, S. C.

Names of Corporators—John P. Coffin and William Lynch.

Amount Capital Stock—Twenty thousand dollars. Par value, twenty-five dollars each.

Date of Charter—11th December, 1890.

MARION IMPROVEMENT COMPANY.

Incorporated to buy, sell, and improve real estate, borrow and loan money, and deal in all kinds of paper, etc.

Location—Marion, S. C.

Names of Corporators—W. J. Montgomery, E. H. Gasque, J. M. Johnson, R. Macfarlan, W. W. McEachern, C. A. Wilcox, J. C. McMillan, C. A. Woods, H. C. Graham, and J. W. Johnson.

Amount Capital Stock—Twenty thousand dollars. Par value, forty dollars each.

Date of Charter—14th April, 1891.

THE MASONIC TEMPLE COMPANY, OF SUMTER, S. C.

Incorporated to build Masonic temples, &c.

Location—Sumter, S. C.

Names of Corporators—Altamont Moses, R. M. Wallace, J. A. Wood, M. G. Ryttenberg, A. N. Freeland, R. A. Brand, and A. C. Phelps.

Amount Capital Stock—Ten thousand dollars. Par value, ten dollars each.

Date of Charter—1st June, 1891.

MCCOLL MANUFACTURING COMPANY.

Incorporated to spin, weave cotton, wool, and other textiles.

Location—McColl, S. C.

Names of Corporators—F. P. Tatum, A. W. Morrison, T. B. Gibson, and J. F. McLaurin.

Amount Capital Stock—Fifty thousand dollars. Par value, one hundred dollars each.

Date of Charter—29th August, 1891.

MERCHANTS' HOTEL ASSOCIATION.

Incorporated to do a hotel business.

Location—Spartanburg, S. C.

Names of Corporators—D. E. Converse, Jno. B. Cleveland, Geo. W. Nicholls, and R. L. Bowden.

Amount Capital Stock—Fifty thousand dollars. Par value, one hundred dollars each.

Date of Charter—15th July, 1891.

THE MILLER BATTING AND MANUFACTURING COMPANY.

Incorporated to buy and sell cotton and other fibres, &c.

Location—Columbia, S. C.

Names of Corporators—J. Miller, Wm. H. Lyles, C. J. Iredell, G. A. Shields, J. A. Willis, and E. C. Haynsworth.

Amount of Capital Stock—Forty thousand dollars. Par value, one hundred dollars each.

Date of Charter—8th December, 1890.

MORGAN IRON WORKS.

Incorporated to manufacture iron, wood, and brick, and sell the same.

Location—Spartanburg, S. C.

Names of Corporators—W. E. Lucas, Geo. W. Nicholls, Chas. H. Carlisle, T. H. Cannon, and J. K. Jennings.

Amount Capital Stock—Twenty-five thousand dollars. Par value, one hundred dollars.

Date of Charter—9th July, 1891.

MURRAY DRUG COMPANY.

Incorporated to do a general drug business.

Location—Columbia, S. C.

Names of Corporators—W. C. Fisher, W. J. Murray, and Richard Singleton.

Amount Capital Stock—One hundred thousand dollars. Par value, one hundred dollars each.

Date of Charter—29th December, 1890.

MUTUAL REFINING COMPANY.

Incorporated to do an oil refining business.

Location—Charleston, S. C.

Names of Corporators—C. S. McCullough, H. M. Gibson, W. C. Miller, T. A. Wilber, E. R. McIver, C. W. Seignious, William M. Bird, and J. T. E. Thornhill.

Amount Capital Stock—Twenty thousand dollars. Par value, one hundred dollars each.

Date of Charter—26th February, 1891.

NATIONAL BUILDING AND LOAN ASSOCIATION OF
GREENWOOD, SOUTH CAROLINA.

Incorporated to do a general building and loan business.

Location—Greenwood, S. C.

Names of Corporators—F. F. Dunbar, F. M. Allen, J. T. Parks, J. S. Chipley, E. S. F. Giles, and J. T. Medlock.

Amount Capital Stock—One hundred thousand dollars. Par value, one hundred dollars.

Date of Charter—1st April, 1891.

NEWBERRY SAVINGS BANK.

Incorporated to do a banking business.

Location—Newberry, S. C.

Names of Corporators—John B. Carwile, Robert L. McCaughrin, James McIntosh, Robert H. Wright, James N. Martin, Richard C. Carlisle, John O. Peeples, Marcellus A. Renwick, and James F. J. Caldwell.

Amount Capital Stock—Fifteen thousand dollars. Par value, fifty dollars each.

Date of Charter—10th April, 1891.

NEW RIVER OYSTER AND FISHING COMPANY.

Incorporated to carry on the oyster and fish business, &c., &c.

Location—Dawfuskie Island, S. C.

Names of Corporators—J. B. Wilson and J. P. Chapin.

Amount Capital Stock—Three thousand seven hundred dollars.

Par value, one hundred dollars each.

Date of Charter—26th October, 1891.

NORMAN CARROLL COMPANY.

Incorporated to manufacture, buy, and sell all articles in wood and any other substance or material, deal in real estate, build and operate street railways, water works, electric light plants, open and operate mines and quarries, &c., &c.

Location—Walhalla, S. C.

Names of Corporators—V. L. Norman, John R. Carroll, and G. A. Norman.

Amount Capital Stock—Ten thousand dollars. Par value, one hundred dollars each.

Date of Charter—16th March, 1891.

OHALGA TOBACCO COMPANY.

Incorporated to manufacture and sell tobacco.

Location—Walhalla, S. C.

Names of Corporators—John D. Verner and Joseph J. Norton.

Amount Capital Stock—Five thousand dollars. Par value, one hundred dollars each.

Date of Charter—21st September, 1891.

PEE DEE COMPRESS COMPANY.

Incorporated to pack and compress cotton, &c.

Location—Darlington, S. C.

Names of Corporators—E. K. Dargan, C. S. Nettles, C. S. McCullough, Bright Williamson, and S. A. Woods.

Amount Capital Stock—Thirty thousand dollars. Par value, fifty dollars each.

Date of Charter—6th October, 1891.

THE PIEDMONT BUILDING AND LOAN ASSOCIATION.

Incorporated to do a building and loan business.

Location—Greenwood, S. C.

Names of Corporators—F. F. Dunbar, F. M. Allen, J. S. Chipley, E. S. F. Giles, and J. F. Medlock.

Amount Capital Stock—Ten thousand dollars. Par value, one hundred dollars each.

Date of Charter—19th June, 1891.

PIEDMONT GUANO COMPANY.

Incorporated to mine and manufacture fertilizer, etc.

Location—Charleston, S. C.

Names of Corporators—J. S. Folder, W. V. Izlar, and W. St. J. Jervey.

Amount of Capital Stock—Fifteen thousand dollars. Par value, one hundred dollars each.

Date of Charter—6th December, 1890.

PIEDMONT SAVINGS AND INVESTMENT COMPANY.

Incorporated to buy and sell real estate, bonds, and mortgages, bonds and stocks, and other evidences of indebtedness.

Location—Greenville, S. C.

Names of Corporators—Hamlin Beattie, Frank Hammond, Wm. E. Beattie, Jas. H. Maxwell, James A. Hoyt, E. H. Fulenwider, Theo. B. Hayne, A. G. Furman, and Lewis W. Parker.

Amount Capital Stock—Fifty thousand dollars. Par value, one hundred dollars each.

Date of Charter—17th April, 1891.

PINE FIBRE COMPANY.

Incorporated to manufacture fibre out of pine straw, and manufacture cloth, or any other articles, &c., &c.

Location—Croft Station, S. C.

Names of Corporators—Godfrey Wheeler, T. G. Croft, and W. W. Woolsey.

Amount Capital Stock—Seventy-five thousand dollars. Par value, one hundred dollars each.

Date of Charter—27 March, 1891.

THE PROSPERITY CANNING COMPANY.

Incorporated to can fruits, vegetables, &c.

Location—Prosperity, S. C.

Names of Corporators—Asa F. Langford, Levi S. Bowers, Wm. A. Moseley, and Arthur H. Kohn.

Amount Capital Stock—Five thousand dollars. Par value, twenty-five dollars each.

Date of Charter—30th May, 1891.

PROSPERITY GINNING AND MANUFACTURING
COMPANY.

Incorporated to gin, pack cotton, manufacture, and sell brick, &c.

Location—Prosperity, S. C.

Names of Corporators—H. C. Moseley, D. M. Langford, W. A. Moseley, and J. P. Bowers.

Amount Capital Stock—Five thousand dollars. Par value, fifty dollars each.

Date of Charter—29th September, 1891.

QUEEN CITY INVESTMENT COMPANY.

Incorporated to improve real estate, building and conducting hotel, tramroads, electric railways, dummy lines, and other roads, &c.

Location—Greenville, S. C.

Names of Corporators—B. F. Perry and H. G. Granger.

Amount Capital Stock—Five hundred thousand dollars. Par value, one hundred dollars each.

Date of Charter—29th April, 1891.

THE RECORD PUBLISHING COMPANY.

Incorporated to print and publish a daily and weekly newspaper.

Location—Columbia, S. C.

Names of Corporators—Wallace D. Yarrington, Albert W. Clayton, W. H. Macfeat, O. N. Flanders, J. Wilson Gibbes, and A. T. McCants.

Amount Capital Stock—Five thousand dollars. Par value, fifty dollars each.

Date of Charter—27th May, 1891.

RIDGEWAY IMPROVEMENT COMPANY.

Incorporated to buy and sell real estate, erecting buildings, conducting an agricultural, a milling and manufacturing business, lighting and improving streets, borrowing and investing moneys, and inducing immigration.

Location—Ridgeway, S. C.

Names of Corporators—R. Means Davis, James Q. Davis, Henry C. Davis, Eloise D. Ruff, and Kate D. Gaillard.

Amount Capital Stock—Ten thousand dollars. Par value, fifty dollars each.

Date of Charter—29th April, 1891.

RIDGEWAY SAVINGS AND LOAN ASSOCIATION.

Incorporated to carry on a general loan and savings business, and real estate business.

Location—Ridgeway, S. C.

Names of Corporators—W. H. Ruff, J. C. Thomas, W. J. Johnston, C. P. Wray, S. F. Cooper, J. P. Cooper, and J. S. Edmunds.

Amount Capital Stock—Fifteen thousand dollars. Par value, one hundred dollars each.

Date of Charter—29th May, 1891.

RIVERSIDE MANUFACTURING COMPANY.

Incorporated to manufacture, print, and sell envelopes, paper boxes, pasteboard, paper bags, cloth bags, shipping tags, and other like products.

Location—Charleston, S. C.

Names of Corporators—W. H. Richardson, C. E. Salinas, B. J. Simmons, George S. Holmes.

Amount Capital Stock—Fifteen thousand dollars. Par value, one hundred dollars each.

Date of Charter—23d March, 1891.

ROYAL FERTILIZER COMPANY.

Incorporated to manufacture and sell fertilizers.

Location—Charleston, S. C.

Names of Corporators—W. B. Smith, Andrew Simonds, A. M. Rhett, C. P. Poppenheim, C. E. Salinas, H. S. Holmes, and R. G. Rhett.

Amount Capital Stock—Three hundred thousand dollars. Par value, one hundred dollars each.

Date of Charter—24th January, 1891.

SAHLMANN COMPANY.

Incorporated to do a general merchandise business.

Location—Charleston, S. C.

Names of Corporators—H. A. Sahlmann, M. R. Sahlmann, and Luder Sahlmann.

Amount Capital Stock—Five thousand dollars. Par value, five hundred dollars each.

Date of Charter—1st April, 1891.

SAVINGS AND FIVE PER CENT. ASSOCIATION OF COLUMBIA, S. C.

Incorporated to make loans of money to members and other persons, of receiving deposits and savings, borrow money, etc.; buy and sell real estate.

Location—Columbia, S. C.

Names of Corporators—F. D. Kendall, E. M. Rucker, Jr., George W. Fetner, James Iredell, Thomas Agnew, John Melton, and W. J. Heidt.

Amount of Capital Stock—One hundred thousand dollars. Par value, two hundred dollars each.

Date of Charter—10th January, 1891.

SAVINGS AND INVESTMENT COMPANY.

Incorporated to promote savings and encourage accumulation of capital.

Location—Winnsboro, S. C.

Names of Corporators—Thomas W. Lauderdale, Thomas H. Ketchen, J. F. McMaster, and T. K. Elliott.

Amount Capital Stock—Seventy-five thousand dollars. Par value, one hundred dollars each.

Date of Charter—9th April, 1891.

SMITH SUBMARINE ENGINEERING AND STEVEDORING COMPANY.

Incorporated to submarine, dive, load, and discharge vessels.

Location—Charleston, S. C.

Names of Corporators—A. D. Cohen, J. G. Smith, and J. S. Carey.

Amount Capital Stock—Two thousand dollars. Par value, fifty dollars each.

Date of Charter—20th December, 1890.

SOUTH CAROLINA POULTRY AND PET STOCK ASSOCIATION.

Incorporated to improve poultry and dogs, &c.

Location—Charleston, S. C.

Names of Corporators—Ross A. Smith, Eber Blodgett, B. McInniss, Jr., J. A. Ball, and L. W. Bicaise.

Amount Capital Stock—Two thousand dollars. Par value, five dollars each.

Date of Charter—20th August, 1891.

SOUTH CAROLINA VENTILATED BARREL COMPANY.

Incorporated to manufacture and sell ventilated barrels, cases, &c.

Location—Charleston, S. C.

Names of Corporators—Henry E. Young, F. W. Cappelmann, and S. Verdier Stewart.

Amount Capital Stock—Fifteen thousand dollars. Par value, one hundred dollars each.

Date of Charter—17th April, 1891.

SOUTHERN INVESTMENT COMPANY.

Incorporated to build and construct railroads for railroad companies or individuals, buy and sell lands, etc.

Location—Seivern, Aiken County, S. C.

Names of Corporators—F. W. Wagener and Rudolph Siegling.

Amount Capital Stock—Two hundred and fifty thousand dollars. Par value, one hundred dollars each.

Date of Charter—20th April, 1891.

SOUTHERN PREPARED FLOUR AND GRAIN COMPANY.

Incorporated to manufacture and sell prepared flour, grits, meal, and mill feed.

Location—Charleston, S. C.

Names of Corporators—J. F. Lilienthal and J. C. Blohme.

Amount Capital Stock—Sixty thousand dollars. Par value, one hundred dollars each.

Date of Charter—17th August, 1891.

SOUTHERN STAMP AND PUBLISHING COMPANY.

Incorporated to buy and sell stamps of all nationalities.

Location—Charleston, S. C.

Names of Corporators—J. B. Cohen, G. J. Luhn, and I. M. Loryea.

Amount Capital Stock—Twelve hundred and fifty dollars. Par value, twenty-five dollars each.

Date of Charter—7th November, 1890.

SPARTANBURG CANNING AND MANUFACTURING COMPANY.

Incorporated to carry on a canning factory and sell all kinds of fruits, etc. ..

Location—Spartanburg, S. C.

Names of Corporators—Geo. Coffield, C. S. Greenleaf, B. F. Shockley, S. B. Jones, Jr., S. B. Ezell, L. C. Cannon, and W. A. Burnett.

Amount Capital Stock—Five thousand dollars. Par value, ten dollars each.

Date of Charter—23d April, 1891.

SPARTANBURG CONSTRUCTION COMPANY.

Incorporated to manufacture all kinds of building materials.

Location—Spartanburg, S. C.

Names of Corporators—Robert Miller, H. T. Trowbridge, S. T. McCravey, and John Miller.

Amount Capital Stock—Four thousand dollars. Par value, fifty dollars each.

Date of Charter—19th May, 1891.

THE SPARTANBURG INVESTMENT ASSOCIATION.

Incorporated to buy and sell real estate for themselves; and do a general business of a banking and loan association.

Location—Spartanburg, S. C.

Names of Corporators—Alex. Long, Geo. W. Nichols, T. H. Cannon, H. A. Ligon, Joseph Walker, and D. E. Converse.

Amount Capital Stock—One hundred thousand dollars. Par value, one hundred dollars each.

Date of Charter—18th June, 1891.

SPARTANBURG REAL ESTATE COMPANY.

Incorporated to buy, sell, and improve real estate.

Location—Spartanburg, S. C.

Names of Corporators—J. B. Cleveland, Joseph Walker, Wm. A. Law, W. E. Burnett, T. H. Cannon and A. B. Calvert.

Amount Capital Stock—Thirty thousand dollars. Par value of one hundred dollars each.

Date of Charter—7th November, 1890.

SPARTANBURG SAVINGS BANK.

Incorporated to do a general banking business.

Location—Spartanburg, S. C.

Names of Corporators—J. K. Jennings, S. B. Ezell, T. H. Cannon, S. B. Reid, Arch. B. Calvert and R. L. Bowden.

Amount Capital Stock—Fifty thousand dollars. Par value, one hundred dollars each.

Date of Charter—18th July, 1891.

ST. ANDREWS MERCHANDISE COMPANY.

Incorporated to do a general merchandise business.

Location—R. R. Crossing on the St. Andrews Road.

Names of Corporators—J. F. Werner, L. H. Quirillo and L. J. Letjen.

Amount Capital Stock—One thousand dollars. Par value, ten dollars each.

Date of Charter—27th July, 1891.

STATE PUBLISHING COMPANY.

Incorporated to print and publish one or more newspapers and do a general printing and publishing business.

Location—Columbia, S. C.

Names of Corporators—W. H. Lyles, R. S. Desportes, A. C. Haskell, M. L. Kinard, W. J. Murray, John T. Sloan, Jr., and N. G. Gonzales.

Amount Capital Stock—Thirty thousand dollars. Par value, one hundred dollars each.

Date of Charter—12th March, 1891.

STATE SAVINGS BANK.

Incorporated to do a general banking business.

Location—Charleston, S. C.

Names of Corporators—J. B. Reeves, I. S. Cohen, Lee Loeb, Joseph M. Thomas, and Edward S. Burnham.

Amount Capital Stock—Thirty thousand dollars. Par value, twenty-five dollars each.

Date of Charter—28th January, 1891.

STEWART STONE COMPANY.

Incorporated to do a general quarrying business.

Location—Columbia, S. C.

Names of Corporators—A. R. Stewart, G. A. Shields, and T. J. Harper.

Amount Capital Stock—Ten thousand dollars. Par value, one hundred dollars each.

Date of Charter—8th August, 1891.

SUMMERTON FERTILIZER AND MANUFACTURING
COMPANY.

Incorporated to manufacture and sell fertilizers.

Location—Summerton, S. C.

Names of Corporators—John P. Brock, J. D. Rutledge, I. V. Barden, and R. O. Purdy.

Amount of Capital Stock—Six thousand dollars. Par value, twenty-five dollars each.

Date of Charter—7th March, 1891.

SUMMERVILLE BRICK AND TILE COMPANY.

Incorporated to manufacture and sell brick, &c.

Location—Summerville, S. C.

Names of Corporators—T. W. Stanland, S. H. Stanland, and J. Elmore Martin.

Amount Capital Stock—Ten thousand dollars. Par value, one hundred dollars each.

Date of Charter—7th March, 1891.

THE SUMTER COMPRESS AND WAREHOUSE COMPANY.

Incorporated to compress cotton and other articles for shipment, etc.

Location—Sumter, S. C.

Names of Corporators—A. K. Clark, N. O'Donnell, W. M. Graham, A. S. Brown, Abe Rittenberg, and R. D. Lee.

Amount Capital Stock—Thirty thousand dollars. Par value, one hundred dollars each.

Date of Charter—19th November, 1890.

SUMTER INVESTMENT ASSOCIATION.

Incorporated to conduct a general real estate business.

Location—Sumter, S. C.

Names of Corporators—William J. Andrews, Henry Cain, Frank L. Stewart, Paul Grantham, M. E. Frierson, and J. B. Edwards.

Amount Capital Stock—Five thousand dollars. Par value, ten dollars each.

Date of Charter—7th January, 1891.

SUMTER TELEPHONE COMPANY.

Incorporated to maintain and operate a telephone system.

Location—Sumter, S. C.

Names of Corporators—Albertus S. Brown, S. C. Baker, and R. O. Purdy.

Amount Capital Stock—Two thousand dollars. Par value, one hundred dollars each.

Date of Charter—11th March, 1891.

SYLVESTER BLECKLEY COMPANY.

Incorporated to do a general merchandise business.

Location—Anderson, S. C.

Names of Corporators—Sylvester Bleckley, J. J. Fretwell, F. G. Brown, Wm. R. Osborne, J. T. Pearson and J. H. von Hasseln.

Amount Capital Stock—Seventy-five thousand dollars. Par value, one hundred dollars each.

Date of Charter—30th December, 1890.

UNION HALL COMPANY.

Incorporated to build halls and other buildings for public meetings, societies, &c., &c.

Location—Orangeburg, S. C.

Names of Corporators—L. H. Wannamaker, Francis DeMars, Norman H. Bull, H. G. Sheridan, August Fischer, Wm. L. Izlar, Herman Spahr, D. O. Herbert and Henry Rohn.

Amount Capital Stock—Nine thousand dollars. Par value, one hundred dollars each.

Date of Charter—7th November, 1890.

UNION INVESTMENT COMPANY.

Incorporated to buy, improve, and sell real estate.

Location—Union, S. C.

Names of Corporators—John L. Young, Charles C. Culp, J. Calhoun Hunter, William Munro, James Munro, and J. Gideon Long.

Amount Capital Stock—Forty-eight hundred dollars. Par value, one hundred dollars each.

Date of Charter—21st January, 1891.

WANNAMAKER DRUG COMPANY.

Incorporated to do a general drug business.

Location—Charleston, S. C.

Names of Corporators—Jacob G. Wannamaker and Theodore F. Wannamaker.

Amount Capital Stock—Forty thousand dollars. Par value, one hundred dollars each.

Date of Charter—24th February, 1891.

WESTERN CAROLINA LAND AND IMPROVEMENT COMPANY.

Incorporated to buy, sell, lease, and improve real estate.

Location—Anderson Court House, S. C.

Names of Corporators—J. L. Tribble, J. M. Sullivan, W. W. Humphreys, W. F. Cox and J. D. Maxwell.

Amount Capital Stock—One hundred and fifty thousand dollars. Par value, one hundred dollars each.

Date of Charter—3rd November, 1890.

WHITE OAK CANNING COMPANY.

Incorporated to do a general canning, pickling, manufacturing of cans, and converting into marketable shape all farm produce.

Location—White Oak, S. C.

Names of Corporators—J. M. Galloway, S. R. Johnston, T. G. Patrick, Gray Boulware, A. J. Hamilton, R. A. Patrick, B. G. Tennent.

Amount Capital Stock—One thousand dollars. Par value, ten dollars each.

Date of Charter—29th April, 1891.

THE WILLIAMSTON ALLIANCE STORE.

Incorporated to carry on and conduct a general merchandise business.

Location—Williamston, S. C.

Names of Corporators—H. Mahaffy, J. W. Crymes, J. J. Copeland, and A. H. Ford.

Amount Capital Stock—Six thousand dollars. Par value, ten dollars each.

Date of Charter—8th December, 1890.

YOUNG MEN'S BUILDING AND LOAN ASSOCIATION OF
MANNING, S. C.

Incorporated to do a building and loan business.

Location—Manning, S. C.

Names of Corporators—W. E. Brown, Joseph Sprott, Jr., and A. Levi.

Amount Capital Stock—Sixty thousand dollars. Par value, one hundred and fifty dollars each.

Date of Charter—6th October, 1891.

YOUNG MEN'S BUILDING AND LOAN ASSOCIATION OF
ORANGEBURG.

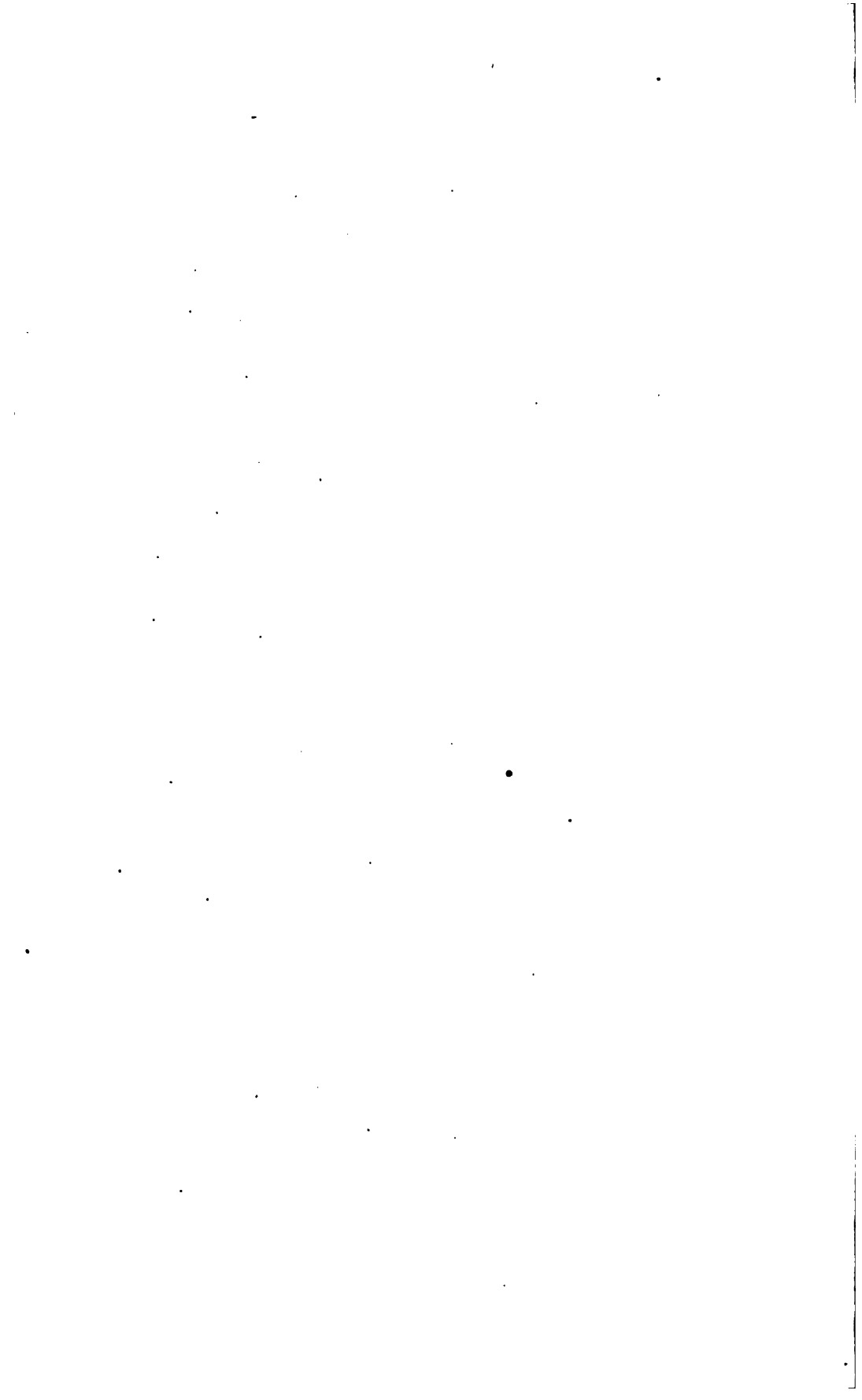
Incorporated to do a general building and loan business.

Location—Oranburg, S. C.

Names of Corporators—G. W. Brunson, Theo. Hahn, J. W. Fairey, Anton Berg, J. W. Bowman, D. O. Herbert, Abial Lathrop, C. G. Dantzler, and A. R. Smith.

Amount Capital Stock—One hundred thousand dollars. Par value, two hundred dollars each.

Date of Charter—20th July, 1891.



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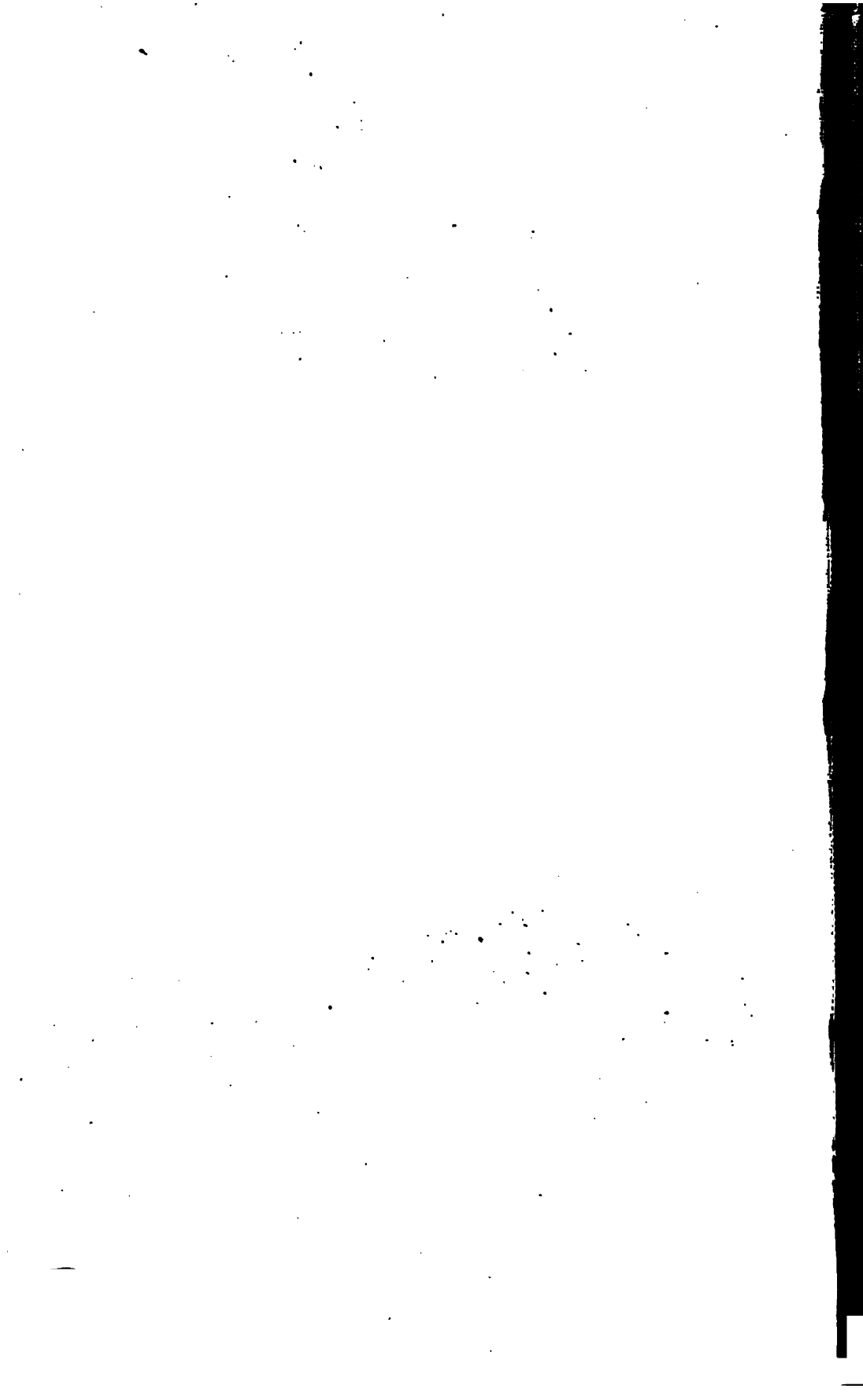
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